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A Policy Analysis of Legislation Permitting Public-Private School Agreements For The Provision Of Educational Services

University — Université

University of Alberta

Degree for which thesis was presented — Grade pour lequel cette thèse fut présentée

Ph D

Year this degree conferred — Année d'obtention de ce grade	Name of Supervisor — Nom du directeur de thèse
1980	Dr. E. Miklos

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THE UNIVERSITY OF ALBERTA

A POLICY ANALYSIS OF LEGISLATION PERMITTING PUBLIC-PRIVATE SCHOOL AGREEMENTS FOR THE PROVISION OF EDUCATIONAL SERVICES

by

© LEROY VINCENT SLOAN

A THESIS

SUBMITTED TO THE FACULTY OF GRADUATE STUDIES AND RESEARCH

IN PARTIAL FULFILMENT OF THE REQUIREMENTS FOR THE DEGREE

OF DOCTOR OF PHILOSOPHY

DEPARTMENT OF EDUCATIONAL ADMINISTRATION

EDMONTON, ALBERTA

FALL, 1980

THE UNIVERSITY OF ALBERTA

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The undersigned certify that they have read, and recommend to the Faculty of Graduate Studies and Research, for acceptance, a thesis entitled A POLICY ANALYSIS OF LEGISLATION PERMITTING PUBLIC-PRIVATE SCHOOL AGREEMENTS FOR THE PROVISION OF EDUCATIONAL SERVICES submitted by LEROY VINCENT SLOAN in partial fulfilment of the requirements for the degree of Doctor of Philosophy in Educational Administration.

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ABSTRACT

The purpose of this study was to conduct a policy analysis of legislation which permitted public and private school authorities to enter into agreements for the provision of educational services. Under these agreements the public system may claim the private school pupils in calculating the School Foundation Program Fund grants. The public system is expected to perform a supervisory function and, therefore, retain a small percentage of the grant while forwarding the remainder to the private school authority.

A combined model of policymaking was constructed from a review of eight existing models to guide the analysis. Elements selected from these models suggested a number of questions to be addressed in conducting the study. These related to five basic areas: inputs of interest groups, influence, gatekeeper structures, the political process and the implementation of policy.

Focussed and unstructured interviews and document searches of relevant files were used to collect the data. These data were placed in chronological order, grouped according to particular issues, then organized in response to the five major questions posed.

An analysis of the data indicated that attempts were made by groups and individuals who supported (supporters) and who opposed (opponents) public financial aid to private education. Although bureaucratic and political channels of communication were employed, supporters used political channels to a much greater extent than did opponents. The bypassing of bureaucratic gatekeeper structures during the policymaking

phase may have led, in part, to the apparent gatekeeping activities encountered by supporters during the policy implementation phase.

Opponents possessed a relatively high level of potential influence but did not manifest their influence to as great an extent as did supporters. The position of the opponents was considered in formulating the policy as they possessed a relatively high level of implicit influence.

The policymaking process involved extrarational processes and in some respects lacked rationality. The policy was shaped by the input from competing groups, constraints perceived by the Minister, and several "goodness standards" which the policy had to meet.

Minimal tangible consequences of the policy were found in terms of concluded agreements. Greater symbolic consequences were perceived including increased public school awareness of private schools and the appearance that the financial problems faced by private schools were being addressed. An indirect tangible consequence was the formal provision for increased diversity in the two largest school districts in the province through the adoption of policies and procedures for the acceptance of alternative programs.

Discrepancies between the intent and implementation of the policy arose from the inability of private and public school authorities to resolve issues not addressed during the policymaking phase but which were vital to implementation.

Future research might be carried out to examine the effects of permissive legislation on the activities of pressure groups. Studies might also be conducted to ascertain the consequences, on the implementation of policies, of interest groups working primarily through political as opposed to bureaucratic channels.

ACKNOWLEDGEMENTS

The writer wishes to acknowledge with appreciation the assistance of a number of individuals who contributed to the successful completion of this study. Dr. E. Miklos, in his role as advisor, consistently provided detailed, insightful reactions to completed work in a minimal amount of time.

Members of the examining committee, Dr. D.A. MacKay, Dr. R.C. Bryce, Dr. R.E. Baird and external examiner Dr. P. Coleman, provided a challenging yet satisfying concluding experience. In addition, their comments and suggestions were helpful in improving the final report. Dr. L. R. Gue served on the committee during the initial stages of the study and provided useful suggestions at that time.

Many groups and individuals cooperated in the data collection phase. Without their openness and cooperation this study could not have been completed.

My wife, Shirley, typed the preliminary drafts of the dissertation. She and my three daughters, Stephanie, Jessica and Retha Paige were a source of encouragement and support throughout the doctoral program.

Mrs. Gwen Fargey typed the final draft of the dissertation and cheerfully made the necessary final revisions.

TABLE OF CONTENTS

CHAPTER		PAGE
1	INTRODUCTION	1
	PURPOSE OF THE STUDY	2
	SIGNIFICANCE OF THE STUDY	4
	DEFINITION OF TERMS	5
	Policy	5
	Policy Analysis	6
	Model	6
	Definition	6
	Function	7
	Private School	7
	Independent School	8
	Umbrella Agreement	8
	Umbrella Concept	8
	Associate Status	8
	Take-over	8
	DELIMITATIONS	9
	LIMITATIONS	9
	ASSUMPTIONS	10
	ORGANIZATION	10
2	REVIEW OF RELATED LITERATURE	12
	APPROACHES	12
	SELECTED MODELS	15

CHAPTER PAGE

The Systems Model 15

The Group Model 18

The Elite Model 21

The Institutional Model 22

The Rational Model 23

Maximizing model 23

Satisficing model 24

Contextual optimizing 26

Summary and conclusions 27

Game Theory 29

Incrementalism 29

The Optimal Model 30

THE COMBINED MODEL 33

3 METHODOLOGY 36

DATA COLLECTION 36

DATA ANALYSIS 46

4 CONTEXT OF THE POLICY 47

TYPES OF PRIVATE SCHOOLS AND ENROLMENT PATTERNS . . . 47

Summary 58

FUNDING OF PRIVATE SCHOOLS 59

Summary 63

CONCLUSIONS 65

5 ANALYSIS OF DATA: THE POLICYMAKING PROCESS 67

INPUT OF INTEREST GROUPS 67

CHAPTER PAGE

The Alberta Teachers' Association 68

The Alberta School Trustees' Association 70

The Association of Private Schools and Colleges of Alberta/The Association of Independent Schools and Colleges of Alberta 72

Summary 81

Edmonton Society for Christian Education 83

INFLUENCE 93

GATEKEEPER STRUCTURES 96

Department of Education Officials 97

Input to the Minister 100

THE POLITICAL PROCESS 105

SUMMARY 118

6 ANALYSIS OF DATA: THE POLICY IMPLEMENTATION PROCESS 123

IMPLEMENTATION CASES 123

Case 1: The Caraway Creative Learning Center and the Edmonton Public School Board 124

Case 2: Talmud Torah Society and the Edmonton Public School Board 126

Case 3: Edmonton Society for Christian Education (ESCE) and the Edmonton Public School Board . . . 128

Case 4: Lethbridge Catholic Separate School District No. 9 and Immanuel Christian School Board 136

Case 5: County of Lethbridge No. 26 and Immanuel Christian School Board 141

Case 6: Camrose Lutheran College and County of Camrose No. 22 145

CONCLUSIONS 148

CHAPTER		PAGE
7	DISCUSSION	150
	POLICYMAKING AND POLICY IMPLEMENTATION	150
	THE GROUP MODEL	153
	INSTITUTIONAL MODEL	155
	RATIONAL MODEL	155
	THE SYSTEMS MODEL	157
	THE INCREMENTAL MODEL	159
	THE OPTIMAL MODEL	160
	CONCLUSION	160
8	CONCLUSION	164
	SUMMARY	164
	CONCLUSIONS	168
	IMPLICATIONS	170
	SUGGESTIONS FOR FUTURE RESEARCH	173
BIBLIOGRAPHY		176
APPENDIX A:	INTERVIEW SCHEDULES	188
APPENDIX B:	ASSOCIATION OF EDMONTON PUBLIC SCHOOL BOARD AND TALMUD TORAH SOCIETY	209
APPENDIX C:	AGREEMENT FOR THE PROVISION OF EDUCATIONAL SERVICES: LETHBRIDGE CATHOLIC SEPARATE SCHOOL BOARD DISTRICT NO. 9 AND THE IMMANUEL CHRISTIAN SCHOOL BOARD	212
APPENDIX D:	MODEL AGREEMENT FOR THE PROVISION OF EDUCATIONAL SERVICES	216
APPENDIX E:	AGREEMENT FOR THE PROVISION OF EDUCATIONAL SERVICES: CAMROSE LUTHERAN COLLEGE AND THE COUNTY OF CAMROSE	222

CHAPTER PAGE

APPENDIX F: AGREEMENT FOR THE PROVISION OF EDUCATIONAL SERVICES: CAMROSE LUTHERAN COLLEGE AND THE COUNTY OF CAMROSE 220

APPENDIX G: CORRESPONDENCE 234

LIST OF TABLES

TABLE		PAGE
1	Number of Private Schools in Alberta and Total Student Enrolment, 1971-1947	49
2	Public, Private, Federal and Total Enrolment in Elementary and Secondary Schools in Alberta, Selected Years 1920-1975	54
3	Number of Private Schools in Alberta and Student Enrolment by Type of School, 1976-1979	55
4	Maximum Per Pupil Grants Available to Alberta Private Schools 1968-1980	62

LIST OF FIGURES

FIGURE		PAGE
1	The Systems Model	16
2	The Combined Model	34

CHAPTER I

INTRODUCTION

In his address given during the Fourth International Intervisitation Program in Educational Administration, Harman (1978:2-3) stated:

> Never before has there been so much sustained and imaginative interest directed towards the better understanding of policy processes and the solving of policy problems as we have seen over the last ten to fifteen years.

Dye (1978:6) felt this shifting of interest to the analysis of public policy had occurred mainly due to a realization that problems cannot be solved by governments simply passing more laws or allocating more money in the general direction of problems. The effects of such actions have too frequently not been felt by society, the groups, or individuals on whom the policy was intended to have an impact.

On December 15, 1975, Bill 43 was passed in the Alberta Legislature amending Section 160 of The Alberta School Act. In part, this Bill provided that public school boards, with the prior approval of the Minister, could enter into agreements with the operator of a private school for the provision of educational services. These agreements have been labelled umbrella agreements while the concept of public and private school authorities entering into such agreements has been referred to as the umbrella concept.

Generally speaking this concept provided a mechanism whereby private schools might become more closely associated with a public school board. For this reason, some reference has been made to private schools achieving associate status in a public system. Associate status

means that the private school retains a measure of autonomy, however, is in some way linked to the public system. More specifically, if an umbrella agreement is signed, the public school authority may include the private school students in calculating the per pupil School Foundation Program Fund grant. This money or a portion thereof may be transferred to the private school. In return, the private school provides educational services for students who are by definition residents of the public system. In addition, the public system performs supervisory and administrative functions and, therefore, may retain a portion of the per pupil grant obtained on behalf of the private school pupils.

Despite numerous attempts, only one public school board and private school operator could forge an agreement such as was provided for in the amendment. This agreement was concluded some twenty-eight months after the legislative amendment was made.

PURPOSE OF THE STUDY

The purpose of this study was to conduct a policy analysis of that portion of Bill 43, the 1975 amendment to Section 160 of The Alberta School Act, which provided that:

> 160 A board with the prior approval of the Minister may (a) enter into an agreement with . . . the operator of a private school for the provision of educational services.

This analysis consisted of determining the reasons for the policy decision, the political processes which were involved, and the consequences of this decision. In order to achieve these purposes, the following questions were addressed:

1. What individuals or groups influenced or attempted to influence the policy decision?

(a) Why did these individuals or groups wish to influence the policy decision?

(b) What vehicles of communication were employed by these individuals or groups?

2. What potential and implicit influence was held, and what manifest influence was exercised by those who had or attempted to have input into the policy decision?

3. Did structures inherent in the political system obstruct or facilitate individuals' or groups' attempts to influence the policy decision?

4. What was the nature of the political process involved in the formation of this policy decision?

(a) What constraints to the policy decision were perceived by the policymakers to be operative at the time the policy was made?

(b) What group or individual communications were received by the policymakers?

(c) What group or individual communications with the policymakers influenced the decision made?

(d) What "goodness" standard was used by the policymakers?

5. What were the consequences, that is, the symbolic and tangible effects of the policy decision?

(a) What attempts were made to implement the policy and what were the results of those attempts?

(b) What discrepancies exist between the intent of the policy and its implementation or attempted implementation?

(c) What new attempts to influence the policymakers were made as a result of the policy decision?

These questions guided the collection and analysis of data and provided the framework for organizing and reporting these data.

SIGNIFICANCE OF THE STUDY

The study can be justified on scientific, professional and political grounds. Dye (1978:6) asserted that the study of public policy, in general, has at least three desirable outcomes. First, ". . . an understanding of the causes and consequences of policy decisions improves our knowledge about society," about the linkages between environmental forces, political processes and policy decisions. Although a single case study cannot provide the sole basis for such knowledge, it can provide an increased understanding of the policymaking process particularly when its findings are viewed in relation to other studies of policy development and implementation.

Second, policy studies provide a factual basis for prescribing public policy. Logically policy based on verifiable facts would be expected to be superior to policies which evolve merely from political advocacy.

Third, Dye (1978:7) suggested that, "policy studies can be undertaken not only for scientific and professional purposes but also to inform political discussion, advance the level of political awareness, and improve the quality of public policy." The result is that more

"right" goals will be pursued through the adoption of the "right" policies.

The study is also significant in that it provides an historical account of a recent development in the funding of private schools from public sources and places these events in their historical context.

DEFINITION OF TERMS

In this section, the term "policy" and terms specific to this study are defined.

Policy

The policy sciences literature is replete with definitions of public policy. Following a lengthy examination of such definitions, Stringham (1974:17) accepted the following, which appears to contain the major concepts included in many of those examined:

> . . . a public policy is defined . . . as a major guideline for future discretionary action. It is generalized, philosophically based, and implies an intention and pattern for taking action.

Dye (1978:3) also examined a number of definitions of public policy and concluded that they all reduce to the following: "Public policy is whatever governments choose to do or not to do." Stringham's definition details the nature of government action more clearly than does Dye's, however, Dye's definition adds the notion that government inaction, or what the government chooses to refrain from doing, must also be considered public policy. In this study, the policy examined involved a legislative amendment to an existing act.

Policy Analysis

Dye (1978:7) stated that policy analysis involves:

> . . . a primary concern with explanation rather than prescription . . . a rigorous search for the causes and consequences of public policies . . . [and] an effort to develop and test general propositions about the causes and consequences of public policy and to accumulate reliable research findings of general relevance.

He (Dye, 1978:5) further noted that:

> This involves a description of the content of public policy; an assessment of the impact of environmental forces on the content of public policy; an analysis of the effect of various institutional arrangements and political processes on public policy; an inquiry into the consequences of various public policies for the political system; and an evaluation of the impact of public policies on society, in terms of both expected and unexpected consequences.

Such a process, according to Dye (1978), contrasts sharply with what he termed policy advocacy which involves advocates prescribing the policies which they feel should be followed.

Model

Definition. Dye (1978:38) emphasized the fact that a model is an abstraction or representation. A model, according to Kaplan (1964:262) may be defined in the following manner:

> . . . any system A is a model of a system B if the study of A is useful for the understanding of B without regard to any direct or indirect causal connection between A and B . . . . In a word, when one system is a model of another they resemble one another in form and not in content.

A model, therefore, structures and orders reality so that it can be more readily understood. The form of the model should reflect reality; that is to say, all essential factors or variables should be included in the structure of the model if the model is to facilitate explication of reality.

Function. Various writers have examined both the functionality and limitations of models generally and of models of politics specifically. Stringham (1974:22) stated that: "Models assist in organization of data. A framework is provided in a model which brings the correspondence of elements of the subject matter into focus." Dye (1978:19) listed the following five purposes which he felt were served by models of politics:

1. simplify and clarify our thinking about government and politics,
2. identify important political forces in society,
3. communicate relevant knowledge about political life,
4. direct inquiry into politics, and
5. suggest explanations for political events and outcomes.

Dye (1978) further offered a number of prescriptions for models of politics. He noted that although models should simplify and order political life, oversimplification will lead to inaccurate interpretations of reality. A model must draw attention to the significant aspects of public policy, that is, the relevant variables associated with public policy. The variables which constitute the model must have unique and generally accepted meanings, and lastly a model should refer to phenomena that can be observed, measured and verified.

Private School

The Department of Education Act provides the definition of the term private school as it is used in this study. The Act states that:

> . . . a private school means a school that:
> (a) provides instruction in courses, other than courses in an Early Childhood Services program, which are prescribed or approved by the Minister, or (b) provides instruction to pupils excused from attendance at a school of a board under Section 134 of The School Act, but does not include a school operated by a board under The School Act or by the government of Alberta or the government of Canada (Department of Education Act, RSA Chapter 96, 8.1).

Independent School

For the purpose of this study the terms private school and independent school are used interchangeably.

Umbrella Agreement

This term is used to describe agreements between private and public school authorities as provided for under Section 160(a) of The Alberta School Act. The term originated as a result of the belief that under such agreements private schools would "come under the umbrella" of a public system; that is, they would receive financing through the public system, however, they would retain some measure of autonomy.

Umbrella Concept

The idea of private and public school authorities entering into agreements as provided for under Section 160(a) of The Alberta School Act has been referred to as the umbrella concept.

Associate Status

A private school which enters into an agreement with a public school authority under Section 160(a) of The Alberta School Act is deemed to have associate status with the public system.

Take-over

Some of the private schools which entered into discussions with public school authorities in an attempt to forge an agreement as provided for under Section 160(a) of The Alberta School Act eventually ceased to operate as private schools and became alternative schools operated by the public system. This transition from private to public school status

has been termed a "take-over" of the private school by the public school authority.

DELIMITATIONS

The study was delimited to an analysis of (1) those events which were determined to be relevant to the causes for the amendment to that portion of Section 160 of The Alberta School Act under study, and (2) to those events which were determined to be relevant to attempts to implement this policy decision culminating in the first agreement signed by a public school system and the operators of a private school under Section 160 of The Alberta School Act.

The scope of the study was delimited to an analysis of (1) relevant documents which were identified and to which access could be gained, and (2) interviews with individuals identified as being key actors.

LIMITATIONS

The study was limited in the following respects:

1. The study was limited by the ability of the individuals interviewed to recall past events. Most of those interviewed were asked to recall events which took place four to five years earlier.
2. The study was limited by the availability of relevant documents. Access could not be gained to Ministerial files. In addition, only selected documents were obtained from the files of The Alberta Teachers' Association.

ASSUMPTIONS

The following assumptions were made in conducting the study:

1. It is possible to determine the causes and consequences of the relevant portion of the 1975 amendment to Section 160 of The Alberta School Act through a documentary review and through interviews.
2. The documents retained in the relevant files provide an adequate account of the events which took place which were relevant to the purpose of this study.
3. Those individuals who were key actors can be identified using a modified leadership pool approach.
4. Those individuals who are identified as having been key actors can recall accurately past events and perceptions which are central to the study.

ORGANIZATION

This dissertation is organized into eight chapters. In Chapter One the purpose and significance of the study were presented together with the research questions to be addressed. In addition, selected terms were defined and the delimitations, limitations and assumptions made in conducting the study were articulated.

Chapter Two contains a review of literature relative to models of policymaking. Eight selected models are examined in order to construct the combined model of policymaking which was used to structure the study.

In Chapter Three the methodologies employed to address each of the five major questions associated with the study are discussed.

The fourth chapter provides an historical context for the policy examined. This chapter is divided into three parts. First, a review of the types of private schools and patterns of enrolment since 1905 is presented. In the second portion of the chapter the history of funding private schools from public sources is given. The final section presents some conclusions about the context of the policy.

Chapter Five contains an analysis of the data collected relative to the policymaking process. These data pertain to inputs from interest groups, influence, gatekeeper structures and the political process.

An analysis of the data relative to the policy implementation process is provided in Chapter Six.

The seventh chapter contains a discussion of the elements of the combined model in relation to the findings of the study.

The final chapter is comprised of a summary of the study, conclusions, implications, and recommendations for future research.

CHAPTER 2

REVIEW OF RELATED LITERATURE

The general approach which was used to conduct this policy analysis is discussed in this chapter. In addition, a review of literature related to models of politics is presented in order to outline the development of the combined model which was used to guide the conduct of the analysis.

APPROACHES

One of two different general approaches could have been adopted for this study. The researcher could have either adopted a model which would direct his inquiry or he could have adopted a phenomenological approach.

Glaser and Strauss (1976:viii) presented a view that, historically, there has been undue emphasis in social science research on verification resulting in a de-emphasis on generating new theories from data. They referred to theory generated from data as grounded theory. The process involved in the generation of grounded theory, they suggest, is phenomenological in nature and leads to the avoidance of several common flaws inherent in the logically-deduced theory approach. These include a preoccupation with making the data fit the theory rather than shaping or developing the theory from the data collected and "exampling."

In regard to the latter, the authors argue that when a theory is logically deduced, it is quite easy for a researcher to search for

and find at least one example which will verify the theory. However, since the example was chosen for its confirming power, there is little chance that the results of the study will suggest changes in the proposed theory, even if the researcher were willing to entertain such suggestions.

A third flaw cited by Glaser and Strauss (1967:46) was that:

> Potential sensitivity is lost when the . . . [researcher] commits himself exclusively to one specific preconceived theory (e.g., formal organization) for then he becomes doctrinaire and can no longer "see around" either his pet theory or any other. He becomes insensitive, or even defensive, toward the kinds of questions that cast doubt on his theory; he is preoccupied with testing, modifying, and seeing everything from this one angle.

The means suggested by Glaser and Strauss (1967) for avoiding this third flaw is to adopt a phenomenological approach to the conduct of research. However, the adoption of such an approach does not ensure that the researcher does not enter the research situation with a number of preconceptions which, though not expressly stated, may "blind" him to specific types of data. As well, the absence of a model or theory to guide and structure the research does present the very real possibility that important factors may be unintentionally omitted from the study.

Glaser and Strauss (1967) believe that verification and generation of theory are indispensable aspects of research. As well, they believe that, ". . . no conflict between verifying and generating theory is logically necessary during the course of any given research." Their criticism merely lies with the primacy which researchers historically have placed on the verification aspect of research. The above discussion suggests that there are both functional and dysfunctional outcomes associated with the adoption of a phenomenological approach as a means to addressing the problem of an overemphasis on verification at the

expense of a de-emphasis on generation of theory in research studies. Therefore, the following question is suggested: "Are there means other than the adoption of a phenomenological approach which would adequately address this problem?" In conducting this study, the view was taken that there is, and the general approach which was followed is outlined below.

First, an attempt was made to develop, from a review of the related literature, a comprehensive model. With the recent increased interest in policy analysis has come the development of a number of models which can be used to guide in the analysis of public policy. According to Dye (1978:19), each model ". . . provides a separate focus on political life and each can help us to understand different things about public policy." Harman (1978:22) also suggested that, ". . . use of a multiplicity of approaches is desirable in order to cope with the complexity and diversity in policy processes." He felt that the models could and should be thought of as tools which can be used in combination with one another. The purpose of developing such a combined model was to reduce the possibility of omitting consideration of key factors in the present policy analysis.

In constructing the combined model, efforts were made to identify the relevant variables associated with public policy. The purpose of identifying these variables and ordering them in the form of a combined model was to facilitate simplification and clarification of policymaking processes, to aid in the organization of information relative to the policymaking process, and to direct inquiry into the causes and consequences of a policy decision. As Bauer and Gergen (1971:viii) stated,

the validity of any conceptual scheme, ". . . rests primarily on its usefulness either in helping us to understand what we observe, or in guiding us to make observations that will expand our understanding."

SELECTED MODELS

An attempt was made to integrate eight selected models into a combined model that would help to (1) identify a larger number of key variables, forces, and processes, and (2) to structure factors associated with the analysis of public policy in a relatively simple manner. These eight models which have been described by Dye (1978) and Dror (1968) include the systems, group, elite, institutional, rational, game, incremental, and optimal models. A description of each model together with a means and rationale for integrating each into the combined model are presented below. The various components of the combined model suggest a number of questions to which the policy analyst may address himself in the conduct of a policy analysis. These questions, which formed the basis for the present study, are highlighted throughout.

The Systems Model

The systems model (see Figure 1) which provided the basic framework for the combined model, has five principal components: environment, inputs, process, outputs and feedback. As the term "system" implies there is an interdependence of parts in the systems model. Changes in one component of the system effects changes in other components of the system.

A second aspect of a political system is that it has a boundary. "As individuals expose themselves to political communication, form

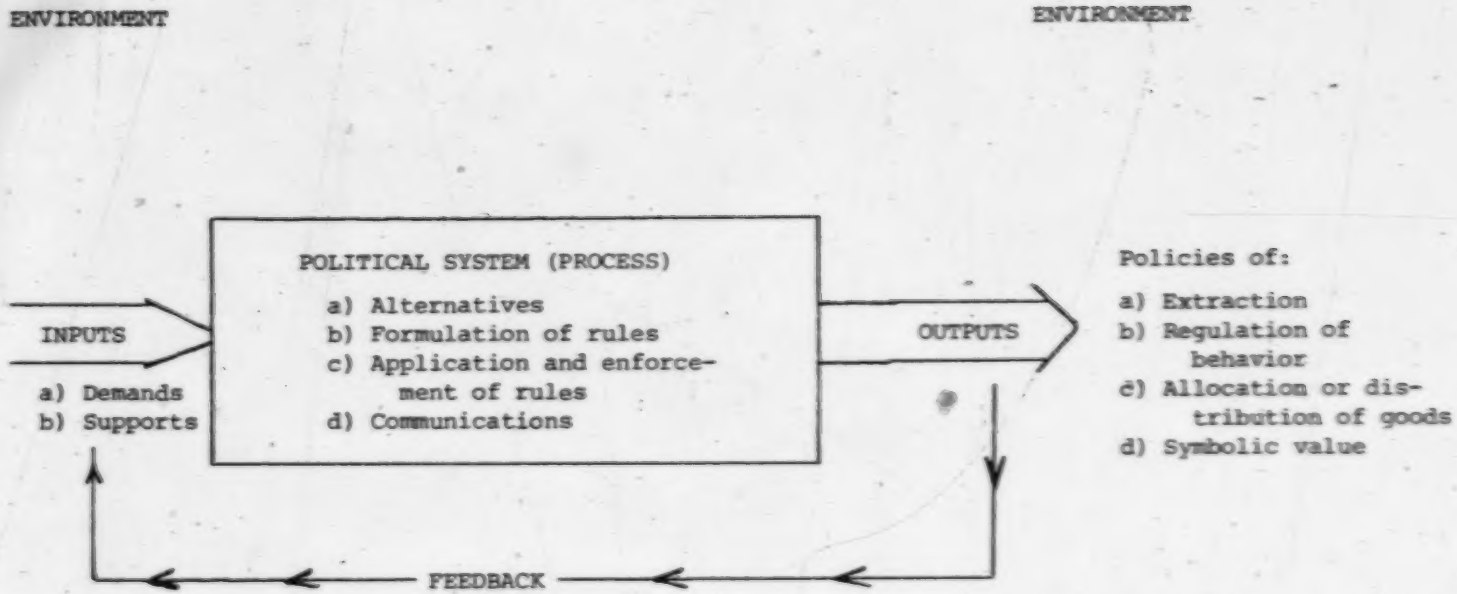

Figure 1

The Systems Model

interest groups, vote, or pay taxes, they shift from nonpolitical to political roles" (Almond and Powell, 1966:20). When they assume political roles, they enter the political environment. Events such as wars or elections precipitate large shifts in the boundaries of the political system.

When individuals or groups participate in the political system, they assume certain roles. When these individuals or groups are referred to in an analysis of a policy decision, it is the role they are filling which is of interest to the analyst since the same individual or group may assume a variety of roles in a variety of systems.

Inputs in the form of demands and supports are generated in the environment or within the political system (process). Almond and Powell (1966:25-26) categorized demands as follows:

> (1) demands for allocations of goods and services . . . (2) demands for the regulation of behavior . . . (3) demands for participation in the political system . . . (4) demands for communication and information.

Categories of supports outlined by Almond and Powell (1966:26) included material supports, obedience to laws and regulations, participatory support and attention paid to government communications.

Outputs result from the political system processing various demands and supports. These outputs take four forms including policies related to extractions, regulations of behavior, allocation or distribution of goods and symbolic outputs. As these outputs have an impact on those in the environment, and the political system, new demands and supports are generated and the process is repeated.

The political system is where the inputs are transformed into outputs. Almond and Powell (1966:29) suggested that in order to

understand the operation of the (conversion) process involved in the system one should consider: the demands which are formulated, alternative courses of action available, the rules which are formulated, the application and enforcement of these rules in individual cases and the communications which take place within the political system and between the political system and its environment.

As Dye (1978:39) indicated, the value of the systems model is that it poses the following key questions, the answers to which form the basis for the policy analysis:

1. What are the significant dimensions of the environment that generate demands upon the political system?
2. What are the significant characteristics of the political system that enable it to transform demands into public policy and to preserve itself over time?
3. How do environmental inputs affect the character of the political system?
4. How do characteristics of the political system affect the content of public policy?
5. How do environmental inputs affect the content of public policy?
6. How does public policy affect, through feedback, the environment and the character of the political system?

In addition, the systems model serves to map out the policy process and the key variables of which it is composed.

The Group Model

The group model is based on the assumption that policy decisions are arrived at as a result of conflict among competing interest groups. An interest group or pressure group has been defined by Pross (1975:2) as, " . . . organizations whose members act together to influence public

policy in order to promote their common interest." Such influence is achieved through the use of a variety of techniques of persuasion.

The group model can be integrated into the combined (system) model in one of two ways. First, the notion of competing interest groups in the environment providing input to the political system in the form of supports and demands adds specificity to the input aspect of the combined (systems) model. Second, the basic assumption of group theory, namely, that policy decisions are made by those in the political system managing group conflict suggests that bargaining, compromising and negotiating may be evidenced in the process aspect of the system. Generally, the group model suggests that the management of group conflict is achieved by the policymakers "(1) establishing rules of the game in the group struggle, (2) arranging compromises and balancing interests, (3) enacting compromises in the form of public policy, and (4) enforcing these compromises" (Dye, 1978:23).

Such a view, highlights the importance of policy decisions meeting the requirement of political feasibility. As well, the possibility of bargaining being central to the political process is suggested. Therefore, the group model adds the following details to the combined (systems) model: (1) interest groups in the environment provide inputs into the political system in the form of demands and supports, (2) political feasibility is one of the constraining forces acting on the political system, and (3) the political process may involve bargaining among competing interest groups and between interest groups and the policymakers.

Various authors (Aucoin, 1975; Dawson, 1975; Pross, 1976) have

identified factors which tend to determine a pressure group's level of influence. These include acquaintances in the civil service at a sufficiently high level to provide access to policymakers, the group's reputation vis a vis expertise, reliability, existence of full-time staff, and writing of letters to members of parliament or members of the legislature.

In addition, Van Loon and Whittington (1967:30[illegible]) indicated that groups are much more influential when they are characterized by a high level of cohesiveness. Loosely linked groups composed of different factions would, therefore, be expected to be less influential. Influence could also be expected to be related to the expertise of the group's leadership in formulating and conducting political strategies.

As suggested above, gaining access to the policymakers and presenting the group's views to them is key if the pressure group is to influence the policymaking process and the resultant policy decisions. Wirt (1970:62) noted that what demands enter the political system is dependent on cultural restraints, and ". . . the gatekeeper positions in the social and political structure. Inputs depend, in large measure on the preferences and power of those occupying gatekeeper positions within the system." A group is only influential if their demands and/or supports get by the gatekeepers to the policymakers.

The group model makes an important contribution to policy analysis in that it suggests the following questions:

1. What interest groups influenced or attempted to influence the policy decision?
2. Why did the interest groups wish to influence the policy decision?

3. What vehicles of communication were employed by these groups?

4. Did structures inherent in the political system obstruct or facilitate individuals' or groups' attempts to influence the policy decision?

5. Was bargaining, negotiation or compromise involved in the process of policy formation?

The Elite Model

Dye (1978:26) summarized elite theory in the following manner:

1. Society is divided into the few who have power and the many who do not. Only a small number of persons allocate values for society; the masses do not decide public policy.

2. The few who govern are not typical of the masses who are governed. Elites are drawn disproportionately from the upper socioeconomic strata of society.

3. The movement of nonelites to elite positions must be slow and continuous to maintain stability and avoid revolution. Only nonelites who have accepted the basic elite consensus can be admitted to governing circles.

4. Elites share consensus on behalf of basic values of the social system . . . .

5. Public policy does not reflect demands of masses but rather the prevailing values of the elite. Changes in public policy will be incremental rather than revolutionary.

6. Active elites are subject to relatively little direct influence from apathetic masses. Elites influence masses more than masses influence elites.

This theory adds the notion that elites in the environment may provide input in the form of demands and supports to the political system. On the basis of the above summary of elite theory, several questions become apparent relative to the conduct of a policy analysis based on a model which incorporates the concept of elite theory.

1. What elites influenced or attempted to influence the policy decision?
2. Why did the elites wish to influence the policy decision?
3. What was the nature of the political process involved in the formation of the policy?
   (a) Were there coalitions or compromises or negotiations among groups and groups, or groups and elites in the policymaking process?

The Institutional Model

Dye (1978:21) intimated that institutionalism is the description of the relationships between the structure of an institution and the content of public policy. Institutional structure, he noted, may:

> Facilitate certain policy outcomes and . . . obstruct other policy outcomes. They may give advantage to certain interests in society and withhold advantage from other interests. Certain individuals and groups may enjoy greater access to government power under one set of structural characteristics than under another set.

Structure, used in this sense, refers to the gatekeeper structures which serve to screen the inputs into the political system.

Focussing attention on the effect that institutional structure has on public policy may help explain why the influence of some groups or elites more than others shape a particular policy decision. As Dye (1978:21) cautioned, and assumption should not be made that ". . . institutional changes will [automatically] bring about policy changes."

The institutional model suggests the following question:

1. Did structures inherent in the political structure obstruct

or facilitiate the attempts of individuals or groups to influence the policy decision?

The Rational Model

At least three models of rational policy choice have been discussed in the literature. All three models focus on the process aspect of the systems model. Kerr (1976:108) has labelled these the maximizing or optimizing model, the satisficing model and the contextual optimizing model. Most frequently, the rational model is conceptualized as the maximizing or optimizing model.

Maximizing model. Dye (1978:28) outlined the prerequisites to using the rational (maximizing) model as follows:

1. know all the society's value preferences and their relative weights;
2. know all the policy alternatives available;
3. know all the consequences of each policy alternative;
4. calculate the ratio of achieved to sacrificed societal values for each policy alternative;
5. select the most efficient policy alternative.

Therefore, rationality has been achieved if the "best" policy is chosen. Kerr (1976) suggested, however, a qualifier should be added, namely, that the alternatives should be limited to those she defines as factually possible. If no possibility exists for implementation, the alternative is not factually possible. A policy alternative may be considered factually impossible if, for example, its implementation is dependent on the development of technology which has not yet been invented.

Kerr (1976) felt that even within the limits of factual

possibility, the task of articulating each alternative and evaluating the cost/benefit ratios associated with each would be impossible given the inevitable limitations of time, energy and resources. In addition, it is quite evident that a policymaker can never ascertain all society's value preferences, all the policy alternatives or all of the consequences of such alternatives.

Satisficing model. As Kerr (1976:111) suggested, the basic difference between the maximizing and the satisficing model is that under the maximizing model, one best policy alternative must be chosen. This best choice will have the effect of maximizing utilities. Under the satisficing model, one need only choose one of a number of policy alternatives each of which may prove to be "good enough." Perhaps the key difference between the models is that the maximizing model is a prescriptive, albeit infeasible, model of how policy decisions should be made. The satisficing model is basically descriptive of how policy decisions are made in actual practice.

Although Kerr (1976) attempted to present criticism of the satisficing model, her arguments were not convincing. First, she suggested that the model allows for other than rational and therefore irrational choice. Dror (1968) argued rather convincingly that optimal policymaking can be made only by combining rational and extrarational processes. He noted, for example, that although the rational (maximizing) model does not account for extrarational factors such as the intuition, hunches and feelings of the policymakers, a relatively important role in the development of policy is played by them. Dror (1968:179) stated that these extrarational processes are particularly important in the

construction of innovative alternatives since ". . . the best way to acquire them (innovative alternatives) is to use extrarational resources." In areas of rapid change and development, innovative alternatives are essential. Therefore, what Kerr (1976) viewed as a weakness of the satisficing rational model, may in fact be one of its strengths. Perhaps the flaw in Kerr's (1976) argument is that she apparently equated non-rational with irrational rather than allowing for extrarationality.

The second criticism articulated by Kerr (1976) is that the satisficing model does not define the criteria for rational "good enoughs." If the satisficing rational model is to be adopted, some concept of a "goodness" standard must be articulated. Dror (1968:187) stated that, "Trying to create one would either lead to a grandiose formulation in terms of the expected net marginal output of additional search . . .," or lead to the development of the following main standards: past quality, quality of other systems, desired quality, professional standards of quality, survival quality, planned quality, and optimal quality. In addition to the above, Dror (1968:187-188) listed the following seven conditions which an optimal "goodness" standard should almost always satisfy:

1. a high probability that the society will survive . . .
2. a high probability that the policy will be politically and economically feasible;
3. continual improvements in the net expectation of policymaking in the same unit and of new policies as compared with similar policies in the past, unless the major environmental variables become worse;
4. better net expectations than in any comparable policymaking system; and

5. highly developed search for alternatives, with, at the least, extensive surveys of knowledge. It should also

6. pressure policymaking to be as good as possible, by requiring checking up on the policymaking phases through which the proposed alternative has passed, and by demanding independent simulating of some of them. Finally it should

7. generally be explicit, and known during all earlier policy-making phases, whose activities it will influence because the various actors will anticipate its verdict.

Kerr's (1976) rejection of the satisficing model appears to be relatively unfounded in that the rejection of any other than rational processes excludes from consideration extrarational processes. Even if Kerr (1976) was speaking in prescriptive terms, the implied rejection of extrarational processes would be inappropriate since extrarational processes are frequently employed in the construction of innovative alternatives.

Second, Kerr's (1976) argument that the rejection of the satisficing model should be made due to the absence of a goodness standard is hardly accurate. Goodness standards can be articulated. However, they are generally very specific or very general. If "a" goodness standard is to be defined it must be extremely general such as that outlined by Dror (1968). If on the other hand, increased specificity is desired, a goodness standard for a particular policy decision can be articulated. The nature of such a standard would be dependent on the goals, values, constraints, and context in which the policy is made.

Contextual optimizing. Kerr (1976:115) stated that the contextual optimizing model is one in which the policy decisions are made based on the costs and benefits associated with each policy

alternative as viewed by the relevant publics. Both monetary and non-monetary costs and benefits are considered.

Summary and conclusions. Rational policymaking in the strictest sense of the word cannot be implemented. Satisficing rational and extrarational processes are frequently adopted by policymakers. Since a "best" alternative need not be found when a satisficing rational approach is used, standards must be set forth to assure that the alternative chosen is at least "good enough." The "goodness" standard might be described in terms of the constraints which are placed on the political system's processes of arriving at alternative policy choices and of selecting among these alternatives. Generally, selection is based largely on the cost/benefit ratio. Since not all costs and benefits are quantifiable in monetary terms, monetary and nonmonetary costs and benefits should be considered in evaluating each alternative. In addition, extrarational processes may also be brought to bear on the policymaking process.

Consideration is also given by the policymakers to the impact each alternative has on the various relevant publics. Decisions relative to the weight attached to the various alternatives are primarily political since each of the alternatives will have a differential impact on each of the groups. In some instances, the policy alternative chosen may have significant, long term indirect impacts which may easily be overlooked. In other instances, it may be difficult to ascertain if anyone is being disadvantaged by the adoption of a given policy alternative since negative, immediate impacts may be necessary in order to realize greater long term positive impacts.

The above discussion highlights that the rational process of policymaking is dependent on the availability of relevant data. For example, information must be collected relative to the costs and benefits associated with various policy alternatives before a rational decision as to the most appropriate alternative can be made.

The policymaker must be able to gather sufficient information or no real rational decisions can be made. He must also be able to sense when the increased cost required to collect additional information is disproportionately high relative to the commensurate improvement in the quality of the decision.

The rational model is concerned primarily with the process aspect of the combined model. Questions which arise due to its inclusion in the model are as follows:

1. What was the nature of the political process involved in the formation of this policy?
   (a) What constraints to the policy decision were perceived by the policymakers to be operative at the time the policy was made?
   (b) What group or individual communications with the policymakers influenced the decision made?
   (c) What extrarational processes influenced the policy decision?
   (d) What impact did the personal values and opinions of the policymakers have on the decision which was made?
   (e) What "goodness" standard was used?

Game Theory

Dye (1978) defined game theory as ". . . the study of rational decisions in situations in which two or more participants have choices to make and the outcome depends on the choices made by each of them." This theory is merely a particular case of the rational model since rational processes are followed in arriving at the "best" alternative course of action.

Incrementalism

Incrementalism is essentially the satisficing rational policy-making model. Incrementalism is premised on the idea that policymakers do not have the time nor the resources needed to examine and weight all possible alternatives. Therefore, new public policy is made by incrementally changing existing policy. Policymakers generally accept past policy decisions with incremental modifications since such a course of action is the most politically expedient, is safest, and takes advantage of sunk costs (Dye, 1978:33). However, given constraints, such a course of action is most rational. Primarily, incrementalism highlights the importance of considerations of the political feasibility of policy alternatives. An alternative may be the most efficient and the most rational (maximum) but if its implementation is not politically feasible a different alternative must be found. In such instances the alternative chosen would not be the "best" but it would be satisfactory.

Incrementalism adds two features to the combined model. It defines (1) the constraints which are placed on the political system, and (2) the nature of the political process used to arrive at policy decisions.

Therefore, the following questions related to the political process are suggested by the literature dealing with incrementalism:

1. What constraints to the policy decision were perceived by the policymakers to be operative at the time the policy was made?
2. What "sunk costs" were considered by the policymakers?
3. To what extent was political expedience a factor in the decision?

The Optimal Model

The optimal model, developed by Dror (1968:163), is comprised of eighteen phases divided into three stages which include:

The Metapolicymaking stage

1. Processing values
2. Processing reality
3. Processing problems
4. Surveying, processing and developing resources
5. Designing, evaluating and redesigning the policymaking system
6. Allocating problems, values and resources
7. Determining policymaking strategy

The Policymaking stage

8. Suballocating resources
9. Establishing operational goals, with some order of priority for them
10. Establishing a set of other significant values, with some order or priority for them
11. Preparing a set of major alternative policies, including some "good" ones

12. Preparing reliable predictions of the significant benefits and costs of the various alternatives

13. Comparing the predicted benefits and costs of the various alternatives and identifying the "best" ones

14. Evaluating the benefits and costs of the "best" alternatives and deciding whether they are "good" or not

The Post-policymaking stage

15. Motivating the executing of the policy

16. Executing the policy

17. Evaluating policymaking after executing the policy

18. Communication and feedback channels interconnecting all phases.

The impact that interested groups and individuals have on the policymaking decision depends, in part, on the policymakers' ability to process reality. There is a tendency for policymakers to select only those inputs which support their own preconceptions and values. Therefore, in order to understand the process which was involved in a particular policy decision, it is important to examine the policymakers values. These may in some instances differ from officially stated values.

Identification of problems is integral to policy analysis. Since the problem, as viewed by the policymaker, may differ from the problem as seen by the analyst, due to differing value structures, the analyst must determine what the problems were, as seen by the policymakers. The accuracy of the policy analysis is dependent on identification of the problem as viewed by the policymakers.

Phase four of Dror's optimal model suggests that the policymakers must weigh alternatives in light of the resources which can be

brought to bear to facilitate the implementation of each policy alternative. Rational choice is dependent on accurate knowledge of the resources available.

Phases five and six suggest that the policymakers may break a problem down into component parts and assign the solution of these sub-problems to various units. If such a process were employed, the policy analyst would have to determine all the sub-problems and conduct a mini-analysis of each one.

Phase seven suggests that the policy analyst must determine what processes were involved in arriving at a given policy decision.

The policymaking stage suggests a number of other questions to which the policy analyst should address himself. What were the goals of the policymakers? Were extrarational processes used in arriving at policy alternatives? How were policy alternatives evaluated? What "goodness" standard was used to determine whether or not a given policy alternative should be accepted?

The post-policymaking stage is primarily suggestive of questions concerned with the consequences of a policy decision. What supports and new demands were generated by the selection of a given alternative? How was the policy interpreted by those on whom it had an impact? What discrepancies exist between the intent of the policy and its implementation? What were the expected, desired, unexpected and undesired results of the implementation of the policy?

The optimal model is the most comprehensive of the eight models discussed in this study. It adds much to the combined model by suggesting a number of questions to which the policy analyst may address himself

and by adding specificity to the combined model. Finally, the optimal model adds the extrarational component to the combined model. This component, though advocated by Dror in several phases of his optimal model, is particularly important in the political process phase in the combined model. Extrarational processes are defined by Dror (1968: 149) as, ". . . subconscious processes such as 'intuition' and 'judgment.'" Since the concept of extrarational processes is descriptive of reality, it is included in the political process of the combined model. Policymakers may be expected to arrive at one alternative through the use of rational processes, yet select a different policy alternative on the basis of their intuition, judgment, hunch or experience.

THE COMBINED MODEL

The combined model, displayed in Figure 2, was used to guide the policy analysis. This model may be described in the following manner. Groups and elites in the environment may attempt to influence the policymakers. Communications from these groups and/or elites are "screened" to some degree by the "gatekeeper" structures inherent in the organization. Policymakers may be affected by some of these influences and be unaffected by others. A variety of alternative processes for arriving at a policy decision are possible, including the adoption of satisficing rational, extrarational, and bargaining processes. Policy decisions may be influenced by the values of the policymakers, constraints such as political feasibility, economic feasibility, the time and resources available, and by influences of interested groups and elites. The outputs in the form of policy decisions may result in new attempts being made by

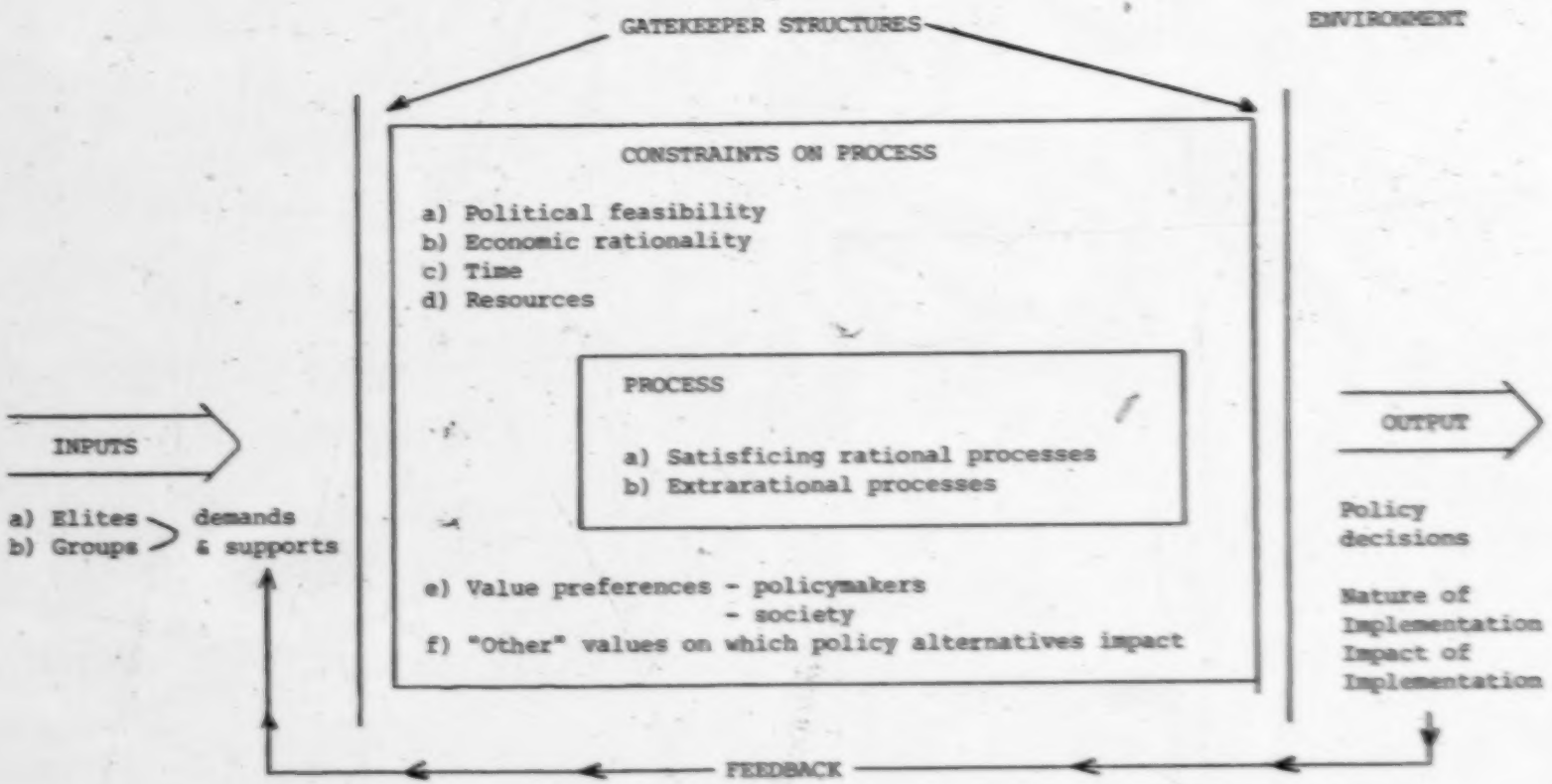

Figure 2

The Combined Model

interested groups and elites to influence the implementation of the decision and future related decisions. In some instances, if a decision is made to the satisfaction of competing groups, no further direct influence will be sought by the interested groups and individuals.

The combined model served to identify a number of variables associated with the policymaking process and relationships among such variables. The inclusion of a variable or set of variables from each of the eight models examined in constructing the combined model suggested a number of questions to be addressed in conducting the study. These related to five basic areas: input of interest groups, influence, gatekeeper structures, the political process, and the implementation of policy. Focussed and unstructured interviews and document searches were used to collect the data which were organized as responses to these questions. As a result of an analysis of these data, the conclusions contained in Chapter Eight were made. Therefore, the combined model provided the structure for this study and guided the analysis of the policy examined.

CHAPTER 3

METHODOLOGY

As stated in Chapter One, the purpose of this study was to determine the reasons for, the political processes which were involved in, and the consequences of that portion of Bill 43, the 1975 amendment to Section 160 of The Alberta School Act, which provided for agreements for the provision of educational services between public and private school authorities.

DATA COLLECTION

In this section the methodologies employed in order to address each of the five major questions associated with this study are provided.

QUESTION 1. What individuals or groups influenced or attempted to influence the policy decision?

(a) Why did these individuals or groups wish to influence the policy decision?

(b) What vehicles of communication were employed by these individuals or groups?

Gergen (Bauer and Gergen, 1971) outlined a number of approaches to identifying the powerful or influential individuals involved in policy decisions. Each of the methodologies examined had particular strengths and weaknesses. The "leadership pool" approach combines aspects of two other approaches known as the reputational and positional approaches.

Steps in using the leadership pool approach include:

1. Identifying the policy issue to be analyzed;
2. Listing all individuals holding formal positions of authority in respect to the particular issue; and
3. Conducting interviews with those listed and asking them to identify other key actors who played a part in the policy decision.

In this study a modified leadership pool approach was employed. An initial list of those individuals who held formal positions of authority in various organizations concerned with the umbrella concept was constructed in the following manner. Relevant files held by The Alberta Teachers' Association (ATA), the Alberta School Trustees Association (ASTA), the Alberta Department of Education, the Association of Independent Schools and Colleges of Alberta (AISCA) and the Edmonton Society for Christian Education (ESCE) were examined to determine the names of individuals who held key positions in these organizations or who, during the 1970's, sat on committees which dealt with the funding of private/independent schools generally or the umbrella concept specifically.

The representatives from the ATA, ASTA, AISCA and ESCE were initially interviewed to determine (1) the groups or individuals the interviewees felt influenced or attempted to influence the policy decision, (2) why these individuals attempted to influence the policy decision, and (3) the vehicles of communication employed by these individuals or groups in attempting to influence the policy decision. In addition, officials of the Alberta Department of Education and various Members of the Legislative Assembly were interviewed.

Following is a list of those individuals from each organization

who were interviewed, the date they were interviewed, and the position they occupied with the indicated organization.

The Alberta Teachers' Association (ATA)

Mr. K. Harrison, ATA representative on the Ad. Hoc. Committee to Examine the Status of Private Schools in Alberta, and the Advisory Committee on Private Schools and Colleges, April 4, 1979.

Alberta School Trustees' Association (ASTA)

Mrs. J. Anderson, ASTA Solicitor, December 22, 1978.

Association of Independent Schools and Colleges of Alberta (AISCA) and Edmonton Society for Christian Education (ESCE)

Mr. L. Hollaar, President, AISCA, and Principal of Fort Road Christian School, November 21, 1978.

Mr. G. Ebbers, Former Principal, Edmonton Christian High School, December 14, 1978.

Dr. G. Cormack, Former President of AISCA, December 15, 1978.

Mr. J. Ludwig, Former President of AISCA, December 21, 1978.

Mr. J. Vandenborn, Member of the ESCE's Government Relations Committee, April 3, 1979.

Alberta Department of Education

Mr. R. Penrice, former Administrative Assistant to the Minister of Education, December 18, 1978.

Dr. E.J.M. Church, Director of Special Educational Services, December 20, 1978.

Dr. B. Stringham, Director of Field Services, January 16, 1979.

Dr. J.S. Hrabi, Associate Deputy Minister of Education, January 25,1979.

Members of the Alberta Legislative Assembly

Hon. L. Hyndman, former Minister of Education and Member for Edmonton Glenora, January 15, 1979.

Mr. B.W. Diachuk, Member for Edmonton Beverley, January 17, 1979.

Mr. L.G. Young, Member for Edmonton Jasper Place, January 18, 1979.

Mr. R.C. Clark, Leader of the official opposition, former Minister of Education, and Member for Olds Didsbury, January 19, 1979.

Mr. D. King, Member for Edmonton Highlands, January 26, 1979.

Hon. G. Amerongen, Speaker of the House, and Member for Edmonton Meadowlark, January 26, 1979.

Gergen (1971:22) stated that ". . . there are three types of interviewing procedures that might be of particular use in studying public policy formation." These include the standard survey interview, the focused interview and the protocol method. In the standard survey interview, questions are standardized for all respondents. These questions may be open-ended or may offer a fixed set of responses. In the focused interview, the researcher follows an interview guide which outlines the major areas for inquiry. The guide orients the interviewer but specific questions are not asked of each interviewee. The protocol method involves asking the interviewee to ". . . think or solve problems aloud, and tape recordings are made of all responses" (Gergen, 1971:223).

Focused interviews were used in this study and in most instances the interviews were recorded and transcribed. Although this type of interview elicited quite specific information, the process also allowed for unanticipated responses. As Gergen (1971) noted, the focused interview allows the interviewer to probe more deeply when it appears desirable. It was felt that use of a standard survey method may lead to repeated interviewing of the same individual as more information came to light. The standard survey method was not used since it was thought it would not provide as complete a picture of the policy process as

would the focused interview. In addition, it was felt that the protocol method was not as suited to facilitating the reconstruction of past events as the focused interview. It was felt that a greater degree of structure was needed in order to glean the required information from interviewees in a reasonable period of time. The protocol method involves a greater degree of inference than does the focused interview technique.

Interview schedules used to facilitate the collection of interview data are contained in Appendix A. These interview schedules were adapted from one used in a study entitled "Interest Groups in Alberta" conducted during the four years 1967 through 1970 by Dr. Richard Baird and students of the University of Alberta with the permission and active support of then Premier E.C. Manning. A list of the individuals interviewed using each schedule is included at the end of each interview schedule. Due to the large number of questions which were asked, the interview schedule was constructed in the form of a questionnaire. This questionnaire, together with a letter of explanation, was sent to interviewees prior to the scheduled interview time. Sending the complete interview schedule to the interviewee in advance facilitated transcribing responses to the questions. Since those interviewed knew all the questions they were to answer, they tended to answer only the question posed rather than attempting to answer several questions at once. In addition, this procedure gave those interviewed more time to gather information and may have increased the accuracy of their responses.

QUESTION 2. What potential and implicit influence was held, and what manifest influence was exercised by those who had, or attempted to have input into the policy decision?

An individual's or group's potential influence, according to Dahl (1970:28) is determined by the political resources which are accessible to that individual or group. Political resources listed by Dahl (1961:226) include time, money, control over jobs, control over information, esteem or social standing, possession of charisma, rights of public office, solidarity, right to vote, intelligence, education, and energy. Dahl (1961) and Campbell and Mazzoni (1976) agreed that this list is not exhaustive. Furthermore, the possibility of constructing a completely comprehensive list was questioned. Campbell and Mazzoni (1976:10) however, suggested that:

> . . . several empirical works, notably those dealing with legislative policymaking, . . . suggested that special heed be paid to: legal authority, information and specialized expertise, social status, wealth, group cohesion, and electoral potency.

In this study potential influence was deemed to be measured in terms of individuals' or groups' access to political resources.

Political resources available to the Alberta School Trustees' Association, The Alberta Teachers' Association, the Association of Independent Schools and Colleges of Alberta, and the Edmonton Christian Schools were identified by examining the relevant files maintained by the Alberta Department of Education and the above mentioned groups and by interviewing those identified using the process outlined under Question one above.

Several authors (Dahl, 1961; Dahl, 1970; Wildavsky, 1967; Campbell and Mazzoni, 1976) have noted that although some individuals have access to more political resources than do others, they exert less manifest influence, as they either do not use available resources or they use them less skillfully. Manifest influence refers to the actual influence

exerted by an individual or a group. Dahl (1970:26) noted that four main methods have been used in studies designed to determine manifest influence. First, the investigator may assume that manifest influence is correlated with position. He would then examine occupants of major and minor offices and determine which groups are over-represented or under-represented among office holders. Second, he may rely on well-placed judges to inform him of the relative levels of manifest influence exerted by the various actors. Third, he may examine participation in the decision-making process. Fourth, he may weight the type of involvement of individuals or groups in the decision-making process at various levels. For example, although a secretary and president may both be involved in the same issue it would not be true to conclude that they had equal influence. Dahl (1970) noted that researchers have employed numerous variations of these four basic approaches.

In this study, manifest influence was determined by:

1. interviewing individuals asseciated with groups who had input to the policy decision;
2. interviewing senior civil servants in the Department of Education who were integrally involved in the policy decision, the Minister of Education, and other Members of the Legislative Assembly, to determine what influence they perceived various groups and/or individuals had on the policy decision;
3. examining relevant files of the ATA, ASTA, AISCA, ECSE and particularly the Department of Education to determine the recorded individual and/or group attempts to influence the policy decision.

A third type of influence discussed by Dahl (1970:30) is implicit influence. Such influence can be understood by considering an individual or group A who has virtually no potential influence. If A is perceived by the policymakers B to possess potential influence and if such perceptions lead B to alter decisions in anticipation of A exercising potential influence, A can be said to have implicit influence. A may or may not possess the potential influence B perceives him to hold. Implicit influence can be determined by comparing the groups' or individuals' perceptions of their political resources with those of the policymakers. An indication of the implicit influence held by those who had or attempted to have input into the policy decision was gathered through document searches and the structured interviews noted in Question one above.

QUESTION 3: Did structures inherent in the political system obstruct or facilitate individuals' or groups' attempts to influence the policy decision?

Individuals identified using the modified leadership pool approach were interviewed in order to determine whether or not structures existed which obstructed or facilitated individuals or groups who influenced, or attempted to influence the policy decision. An examination of Department of Education files and the files of some Members of the Legislative Assembly served to reveal how some of the communications from the various individuals and/or groups were received.

QUESTION 4: What was the nature of the political process involved in the formation of the policy decision?

Interviews were conducted with selected civil servants in the Alberta Department of Education and Members of the Legislative Assembly. Civil servants interviewed included one Associate Deputy Minister of Education, the Director of Special Educational Services, the Director of Field Services, and the Administrative Assistant to the Minister of Education. Members of the Legislative Assembly interviewed included the Minister of Education as of 1975, and those Members who were identified in the documents contained in the relevant files of the participant groups and in interviews as playing a key role in the formation or attempted implementation of this policy.

The purpose of these interviews was to determine the nature of the political process involved in the formation of this policy. More specifically, these interviews were structured so as to determine:

1. the constraints to the policy decision which were perceived by the policymakers to be operative at the time the policy was made;
2. the communications from interested groups or individuals which were received by the policymakers;
3. the communications from interested groups or individuals which influenced the decision made;
4. the impact that the personal values and opinions of the policymakers had on the policy decision; and
5. the "goodness" standard which was used by the policymakers.

QUESTION 5: What were the consequences, that is, the symbolic and tangible effects of the policy decision?

A review of the documents contained in the ASTA, AISCA, ESCE and Department of Education files served to identify a number of attempts which had been made in various parts of the province to structure an umbrella agreement. Focussed interviews conducted with the Associate Deputy Minister of Education, the Director of Special Educational Services, and the solicitor for the ASTA served to identify the remaining instances. An indication of the discrepancies between the intent of the policy and its implementation or attempted implementation was determined by conducting unstructured interviews with individuals directly associated with the attempts to implement the umbrella concept, examining the relevant files of the private school authorities and/or public school boards involved, examining the files of the ASTA and interviewing Department of Education officials and the ASTA solicitor.

Following is a list of those interviewed, the position they held and the date on which the interview was held:

Mr. L. Hollaar, Principal, Fort Road Christian School, November 21, 1978.

Dr. E.J.M. Church, Director of Special Educational Services, December 20, 1978.

Mrs. J. Anderson, ASTA Solicitor, December 22, 1978.

Dr. J.S. Hrabi, Assodicate Deputy Minister of Education, January 25, 1979.

Mr. M.A. Strembitsky, Superintendent, Edmonton Public School Board, March 2, 1979.

Mr. M. Lauber, Principal, Camrose Lutheran High School, March 5, 1979.

Mr. H. Konnynenbelt, Principal, Lethbridge Immanuel Christian School, March 6, 1979.

Mr. J. Phelps, Superintendent, County of Lethbridge, March 6, 1979.

Mr. R. Himsl, Superintendent, Lethbridge Catholic Separate School Board, March 6, 1979.

Mr. E. Hohn, Superintendent, County of Camrose, March 8, 1979.

DATA ANALYSIS

The data collected were organized in response to the five major research questions posed. In most instances written documents were the principal data source used. Interviews were conducted largely to clarify the written information contained in the files and to verify these data. However, in some instances, for example in examining the political process, the interview (with Hon. L. Hyndman) was the primary data source.

Since the policymaking and policy implementation phases were not discrete, the relationship among various written documents was not always clear. Therefore, the first step in the analysis of the data was to construct a comprehensive chronology of events. Second, related data were grouped together. Third, the data were organized as responses to the five major research questions posed. The interviews assisted in determining the relationship between particular actions or events.

CHAPTER 4

CONTEXT OF THE POLICY

The purpose of this chapter is to provide an historical context of the policy. The first section of this chapter examines the evolution of various types of private schools and patterns of enrolments in terms of numbers and types of clients served since 1905. The second section of this chapter documents the history of public funding of private schools from its inception to the present. The final section contains some conclusions about the context of the policy.

TYPES OF PRIVATE SCHOOLS AND ENROLMENT PATTERNS

According to Sparby (1958) the first schools established in the area now known as Alberta were private schools started in the mid-1800's by a number of pioneer missionaries. As a result, these schools were exclusively sectarian. Today, four types of private schools operate in the province: denominational schools, secular schools, language schools and schools for the handicapped. Tracing the history of private schools is a difficult task since the Department of Education's means of reporting on them has changed over time and for some time periods no reports on these schools were made. Nevertheless, the information reported provides a basis for making several generalizations about the operation of these schools since Alberta became a province in 1905.

The first mention of private schools in a Department of Education Annual Report appears in 1919 in the form of a "Report of Inspectors of

Private Schools." The inspectors noted that, "In all but one school the Alberta Course of Study and the prescribed texts of the province were used" (Fourteenth Annual Report, Department of Education, 19).

The report for the following year indicated that approximately 1800 students were enrolled in private schools. These students included:

(a) Pupils from country points where no opportunities for securing a High School education are provided.

(b) Boys and Girls [sic] who had left school and who have since developed an appreciation of the value of an education.

(c) The children of parents who prefer that their boys and girls should receive their education in an institution with residential privileges.

(d) The over-aged, retarded, or non-English-speaking pupil (Fifteenth Annual Report, Department of Education, 16).

The inspectors further noted that, "In assisting this latter group, some of these schools are performing a very valuable service to the Province and to the individuals" (Fifteenth Annual Report, Department of Education, 16). The fact that the standard of education offered was generally in accord with that outlined by the Department was emphasized in the report as was the generally acceptable qualifications of the teachers.

From 1921 through 1947 only basic statistical data about private schools in the province were reported. The number of students enrolled and the number and type of schools in operation for the years 1921-1947 are provided in Table 1. The data indicate that approximately one-third of the private schools in operation in 1921 were not religious or denominational schools. Perhaps the above description of the pupils attending private schools in 1920 provides an explanation for the existence of such non-denominational schools.

Table 1

Number of Private Schools in Alberta and Total Student Enrolment, 1921-1947

Year	Enrolment	Number of Schools		
		Religious	Non-Sectarian	Total
1921	2274	15	6	21
1922	2489	14	4	18
1923	2242	17	4	21
1924	2061	18	6	24
1925	2104	18	6	24
1926	2281	16	8	24
1927	3088	17	11	28
1928	3345	17	9	26
1929	3615	17	8	25
1930	3557	17	13	30
1931	2944	20	11	31
1932	3120	25	10	35
1933	2453	25	9	34
1934	3116	27	14	41
1935	3424	27	15	42
1936	3083	28	13	41
1937	3594	28	14	42
1938	3222	28	12	40
1939	3834	29	9	38
1940	3739	29	9	38
1941	3813	28	9	37
1942	4531	24	12	36
1943	3729	23	9	32
1944	3767	19	9	28
1945	3809	19	9	28
1946	3905	19	9	28
1947	3914	19	9	28

Source: Annual Reports of the Department of Education of the Province of Alberta, 1921-1947.

As Table 1 indicates, the number of private schools generally increased during the 1920's and early 1930's, peaking during the years 1934-1938 then declining gradually over the next decade. The enrolments during this period increased gradually from a little more than 2,000 in 1921 to a little less than 4,000 in 1947 with the lowest enrolment of 2,061 reported in 1924 and the highest enrolment of 4,531 reported in 1942.

The 1948 Annual Report indicated that four types of private schools were in operation that year: Indian Day Schools, Mission Schools, Colony (Hutterite or Menonite) Schools, and those operated by religious orders. Mention was made that in the majority of such schools instruction was not offered past the eighth or ninth grade. In addition, the report stated that, "Private schools operate under authorization received from the Minister, and receive annual inspections from Department of Education Inspectors" (Forty-third Annual Report, Department of Education, 34).

The 1949 Annual Report under the heading "Private Secondary Schools," contained the following comments:

> These schools fill a very important place in that they are residential and that they provide, often at very moderate cost, a type of environment and supervision which is desired and appreciated by many parents, particularly those who live at a distance from a good high school . . . . All of these private secondary schools are affiliated with church organizations (Forty-fourth Annual Report, Department of Education, 37).

The 1950 Annual Report reaffirmed that students who were of adult age also benefitted from private schools. The Report also stated that, "The instruction provided in almost every such school closely approximates the standards of our progressive Alberta high schools" (Forty-fifth Annual Report, Department of Education, 43).

In regard to the private elementary schools in existence in 1950, the following comments were made:

> Outside of the cities of Calgary and Edmonton private schools hold a very small place in Alberta education . . . . They are generally operated by some church organization to meet special needs in a particular area. However, a few have been established by non-denominational organizations to serve children in lumbering areas, and one school classified as private is actually supported by the Department of National Defence (Forty-fifth Annual Report, Department of Education, 27).

The following year fifty-six private schools operated in Alberta. Three were operated in isolated locations by lumber companies, six were Hutterite schools, while others were institutional schools operated at children's homes, hospitals and orphanages. Over half of the fifty-six schools were denominational schools (Forty-sixth Annual Report, Department of Education, 31).

In 1955, fifty-eight private schools were in operation including four Hutterite schools, thirteen Mission schools attended by non-Indians, twenty-three denominational schools other than Mission schools, ten non-denominational schools including schools in unorganized territory and eighteen secondary schools all operated by some church organization (Fiftieth Annual Report, Department of Education, 42).

The Department inspected the private schools, since students' attendance at such schools could fulfill the law with respect to compulsory attendance. Efforts were made to ensure that schools followed the prescribed program of studies and employed qualified staff who were to be approved by the Minister (Fifty-third Annual Report, Department of Education, 50-51).

In 1960 the majority of students attending private schools were enrolled in schools affiliated with a particular religious group.

However, some apparently had experienced difficulty in other schools and needed, "the discipline and order of a residential school" (Fifty-fifth Annual Report, Department of Education, 44). The main two classes of clients served appeared to be those who lived a great distance from a high school and those who desired a particular religious orientation in their schooling. In 1962 the religious groups who operated schools in the province included the Christian Reformed, the Hebrew, Hutterite, Lutheran, Mennonite, Roman Catholic, Seventh Day Adventist, Evangelical United Brethern, North American Baptist, and the United Church of Canada (Fifty-seventh Annual Report, Department of Education, 73).

During the decades of the 1950's and 1960's public school boards increasingly addressed themselves to the education of the handicapped and thereby reduced somewhat the demand for private schools for the handicapped. Since the early 1950's the public schools have assumed responsibility for the more severely handicapped and a greater variety of handicapped students (unpublished paper by Dr. E.J.M. Church, Alberta Department of Education, 1980). Still some demand for private schools for the handicapped has remained. As noted previously, private schools for the mentally handicapped were reported to exist as early as 1920.

Evidence of the general shift of schools for the handicapped from the private to the public sector was provided in the 1963 Annual Report which noted that, "During the year, schools serving children at hospitals were taken over by the Public School Boards in Edmonton and Calgary and are no longer classified as private" (Fifty-eighth Annual Report, Department of Education, 61).

The first private language school to operate in Alberta was the

German Saturday School which was established in Calgary in 1966. The number of such schools has increased since then and in 1978-79 there were five German schools, two Ukrainian, one Italian and one Lithuanian private school in operation in the province.

As indicated earlier in this chapter, the method of reporting statistical information on private schools by the Department of Education in Alberta has changed over time. As a result, comparative enrolment data are provided only for particular time periods, for example, 1921 to 1947. Statistics Canada also provides comparative enrolment data for private schools, however, these data are not entirely consistent with that reported in the Department of Education Annual Reports. The data contained in each source, however, differs by no more than ten percent and the discrepancies suggest a small group of students were included in the one source but omitted in the other. The source of the comparative enrolment data reported in Table 2 was Statistics Canada.

These data indicate that the number of students enrolled in private schools in Alberta from 1920 to 1975 varied from 1.2 to 2.3 percent of the total student population. In actual numbers this means that approximately 2,000 to 6,500 students were served in any given year. Generally, the data appear to suggest that private schools serve a relatively fixed proportion of the Alberta population. Private school enrolment data available subsequent to the passage of Bill 43 are contained in Table 3. These data provide an indication of the present situation with regard to the place of private schools in Alberta.

The largest percentage of students now attending such schools attend denominational private schools, and the number and percentage

Table 2

Public, Private, Federal and Total Enrolment in Elementary and Secondary Schools in Alberta, Selected Years 1920-1975

Year	Enrolment				
	Public	Private	Federal	Total	Private as % Total
1920	138,220	2,274	1,033	141,527	1.6
1925	148,245	2,281	1,283	151,809	1.5
1930	168,730	2,944	1,582	173,256	1.7
1935	167,193	3,083	1,954	172,230	1.8
1940	163,425	3,813	2,029	168,267	2.3
1945	155,455	2,852	1,987	160,294	1.8
1950	173,969	3,527	3,141	180,637	2.0
1955	223,949	3,826	4,193	231,968	1.6
1958	261,554	5,471	4,612	271,637	2.0
1959	277,920	6,242	4,732	288,894	2.2
1960	294,435	6,121	4,650	305,206	2.0
1961	307,702	6,374	4,671	318,747	2.0
1962	322,227	6.486	4,527	333,240	1.9
1963	336,652	6,436	4,334	347,422	1.9
1964	350,906	6,292	3,836	361,034	1.7
1965	362,159	6,570	3,998	372,727	1.8
1966	372,894	5,324	3,625	381,845	1.4
1967	385,972	5,614	3,668	395,254	1.4
1968	401,587	5,231	3,635	410,453	1.3
1969	413,719	5,342	3,553	422,614	1.3
1970	425,987	5,688	3,564	435,239	1.3
1971	427,968	5,439	3,595	437,002	1.2
1972	425,251	5,403	3,409	434,063	1.2
1973	419,737	5,367	3,661	428,765	1.3
1974	432,177	5,541	3,418	411,136	1.3
1975	439,354	5,651	3,719	448,724	1.3

Source: Statistics Canada, "Historical Compendium of Education Statistics from Confederation to 1975" Catalogue 81-568 Occasional, May 1978, p. 38.

Table 3

Number of Private Schools in Alberta and Student Enrolment by Type of School, 1976-1979

	Type of School				
	All Types	Denominational	Secular	Language	Handicapped
1976-77					
No. of schools	--	29	7	6	--
Enrolment	--	3743	1309	467	--
1977-78					
No. of schools	62	37	7	7	11
Enrolment	6273	4276	1393	524	780
1978-79					
No. of schools	--	40	--	--	--
Enrolment	7971	5864	802	489	816

Source: Annual Reports of the Department of Education of the Province of Alberta, 1976-1979.

of students attending such schools is steadily increasing. A number of different denominations are involved in the operation of these schools.

At various times throughout the history of the province, there have been "private" schools which have operated without the approval of the Minister. As indicated earlier, one of the reasons for Departmental inspection of private schools has been related to the fact that attendance at authorized private schools could fulfill the provincial compulsory attendance requirement. During the past few years several "private" schools operated in Alberta without the approval of the Minister. Early in 1978 the issue was confronted through a test case involving one of the parents of a student attending such a school (Regina vs. Elmer Wiebe: Oral Judgment of Judge H.G. Oliver at Three Hills, Alberta, February 6, 1978, cited by Bergen, 1978). The charge introduced by the Crown pertained to Section 171 of The School Act which deals with the issue of compulsory attendance.

The parents belonged to a religious sect called the Holdeman Mennonites whose members perceived that recent changes in the public schools had created a situation in which the religious beliefs of the parents were being undermined by the school. As a result, the Holdemans attempted to establish an authorized private school. When official approval could not be gained, they built and began to operate a school without the approval of the Minister, withdrawing their children from public schools in the County of Three Hills. Since the Holdeman school was not approved, the students enrolled were alleged to be contravening the provisions of The School Act in regard to attendance.

Although the decision rendered in this case in favour of the

parent has many implications for the private schools in Alberta in the future, it is particularly important in that it contributed significantly to a new classification of private schools. More specifically, in 1978 the Private Schools Regulations were amended to provide for four types of private schools.

A Category 1 private school is one which (1) follows courses of study prescribed or approved by the Minister, (2) employs only properly certificated teachers, (3) complies with standards prescribed by the Minister under Section 12 of The School Act for junior high schools or senior high schools, and (4) is not a Category 2 private school. A Category 2 private school is one which (1) is established for the training of mentally, emotionally or socially handicapped children, (2) is operated by a society or association for the handicapped, and (3) maintains a standard of education and training acceptable to the Minister. A Category 3 private school is one which (1) is established for the purpose of giving instruction in a language other than English, (2) operates at times other than normal operating hours of schools of a board under The School Act, and (3) offers instruction in a language at the senior high school level and for that purpose follows courses of study in that language prescribed or approved for schools under Section 12(2) of The School Act and employs as a teacher only a person possessing a valid certificate or qualification issued under The Department of Education Act. A Category 4 school (1) follows a course of study prescribed or approved by the Minister, and (2) is not a category 1, 2 or 3 private school (The Private School Regulations, Alberta Regulation 243/70 amended by A.R. 98/74, A.R. 140/78).

Summary

The first private schools to operate in Alberta were denominational schools. Throughout the provinces seventy-five year history, the majority of private schools have been operated by a religious denomination or order. As early as 1920, private secular schools and private schools for special needs groups including the handicapped had been established.

Private schools have tended to serve a number of students whose circumstances were such that they could not be readily served in the public system. These included adult students, students in isolated areas, the retarded, non-English speaking, students who had experienced discipline problems, students in children's homes, hospitals and orphanages, and those wishing instruction in a particular language other than English. Over the years the Department of Education has repeatedly expressed the view that these schools performed a very important function for the province and for the students involved. At one time the residential high schools were singled out for particular praise as they provided an opportunity for those in isolated areas to gain a high school education.

During the 1950's the public system began to assume some of the responsibility for providing schools for the handicapped. However, a quarter of a century later, some demand for private schools for the handicapped still exists. Language schools began in 1966. Currently there are seven such schools operated by four different language groups. Today four types of private schools operate within the province: denominational schools, secular schools, language schools and schools for the handicapped.

Throughout Alberta's history, the percentage of students served by private schools has remained relatively constant, varying between one and three percent. Despite the relatively small proporation of the population served by these schools, they have made a unique contribution to education that was not being provided by the public system.

FUNDING OF PRIVATE SCHOOLS

Direct public financial support of private schools in Alberta began in 1967 with the passage of Bill 29 amending the School Grants Act. Subsequent to this amendment Order in Council 864/68 provided that:

> There shall be paid in each calendar year to each private school a sum not to exceed $100.00 for each FT or FTE resident pupil enrolled in Grades I to XII inclusive (School Grants Regulations, Order in Council 864/68).

Digout (1969) has provided a documented account of the circumstances and events leading to this development.

Although no direct public aid was given to private schools prior to 1967, according to Konrad (1961), indirect aid was provided. Such indirect aid included:

> . . . appropriations in the form of transportation facilities for private school children; payment of tuition in approved private schools; and property tax exemption by special legislation or the equivalence of tax exemption by grants in aid (Konrad, 1961:51).

Prior to 1967 direct aid was available only to Mission schools in unorganized territory and for conveyance of children in these areas.

Since 1967 direct public aid to private schools in Alberta has increased almost yearly. The following history of aid to private schools covering the period 1967 to 1980 is primarily based on a document produced by the Department of Education's Directorate of Special Educational

Services entitled "Short Chronology of Government Support for Programs Under the Purview of Alberta Education Covering Twenty-five Years 1954-1979" (Directorate of Special Education files).

Conditions of the first direct aid which amounted to $100 per full-time equivalent pupil in grades one through twelve included that (1) the school must have been in operation for at least three years, (2) there must be an enrolment of at least 30 pupils, (3) there must be a minimum of two full-time teachers, and (4) no teacher can teach more than three grades. According to Hon. L. Hyndman (Letter, Hon. L. Hyndman to Dr. N. Japolsky, December 16, 1974) the government's intent was to, "subsidize private education to the extent that it relieves the parent of the child in private schools from the burden of 'double taxation.'" Double taxation is a term coined to describe the situation faced by parents who send their children to private schools. First, they are required to pay education tax on their property and the supplementary requisition in support of the public education system. Second, they must pay tuition fees in order that their children may attend private schools. This "double billing" has been termed double taxation. Dr. E.J.M. Church (Memorandum, Dr. E.J.M. Church to the Minister, May 20, 1975) stated that, "The amount of grant was rationalized as the approximate average amount that a family paid in supplementary requisition to a school board."

In 1969 private schools became eligible to receive a school reading materials grant of $2.00 per elementary pupil.

In 1970, 1972 and 1973 the per pupil grants were revised upward to $150, $160 and $172 respectively. The elementary school reading materials grant remained at $2.00 per student.

In 1974 the system of funding private schools was changed to reflect a percentage of the per pupil School Foundation Program Fund (SFPF) Grant paid to public school authorities. Originally, the per pupil grant available to private schools was approximately one-third of that paid to public schools. Table 4 contains a summary of the levels of funding allocated for elementary, junior high and senior high students from 1968 through 1980.

The linking of the funding of private schools to the grants paid to public schools was foreseen by some members of the Legislative Assembly and Social Credit Cabinet Ministers shortly after initial public support of private education was granted. At that time Digout (1969:127) noted that based on the opinions of such individuals:

> . . . there is good reason to believe that financial assistance for private schools from public funds will continue to increase until eventually a plateau is reached where private schools will get grants amounting to a considerable percentage, proportionately speaking, of public school grants.

Although the dollar value of the reading materials grant remained unchanged in 1974, the eligibility requirements for receiving the grant changed. In order to qualify, schools needed only to (1) be in operation for at least three years, and (2) employ one FTE teacher for every twenty-five pupils enrolled.

In 1974 a one-time grant of $5.00 per full-time equivalent pupil was also made available to private schools for the purchase of library instructional materials.

In 1976 the per pupil grant was raised to 40 percent of the SFPF grant available to public schools. During the next four years this level was raised to 50, 55, 60 and 65 percent respectively of the per pupil SFPF grant available to public schools.

Table 4

Maximum Per Pupil Grants Available to
Alberta Private Schools 1968-1980

Year	Type of Pupil			Per Pupil Grant as % of SFPF Grant to Public
	Elementary	Junior High	Senior High	
1968	100	100	100	N/A
1969	100	100	100	N/A
1970	100	100	100	N/A
1971	150	150	150	N/A
1972	160	160	160	N/A
1973	172	172	172	N/A
1974	207	238	332	33-1/3
1975	246	271	370	33-1/3
1976	335	368	469	40
1977	469	515	610	50
1978	577	605	693 ($28/cr.)	55
1979	682	715	818 ($32/cr.)	60
1980	807	846	969 ($38.75/cr.)	65

Source: Directorate of Special Educational Services, Short Chronology of Government Support for Programs Under the Purview of Alberta Education Covering Twenty-five Years 1954 to 1979.

As mentioned previously in this chapter, in 1978, due largely to the decision handed down in the Regina vs. Elmer Weibe case, amendments were made to the Private School Regulations. These amendments basically served to change the private school requirements for eligibility for the per pupil grants. More specifically the amendments provided that Category 4 schools would not be eligible for any public financial support.

Funding for private schools for the handicapped did not begin until 1954. The first grants were operational grants as opposed to capital grants and were calculated at 50 percent of the per pupil grant paid to a public school board up to a maximum of $1,650 per full-time teacher. Incremental increases in the maximum allowable grant and in the percent of school grants have been made during the past quarter century. In addition, capital grants have also been made available to private schools for the handicapped.

In 1976 three types of such schools were recognized. These included schools for mentally retarded, severely learning disabled, and socially maladjusted students.

Varying levels of grant support were made available to each type of school based on the comparable per pupil grant paid to public schools plus the special education teaching position grant pro-rated on a per pupil basis.

Summary

Public aid to private schools in Alberta has been paid directly to private school operators as opposed to the parents who are faced with double taxation. The individual schools, therefore, have the option of passing this benefit on to their supporters through lower tuition fees or

raising the quality of education offered in the school.

The rationale for determining the level of public aid given to private schools has changed from what was considered to be the average amount paid per year by a family in supplementary requisition to an increasing percentage of the per pupil School Foundation Program Fund Grant paid to public schools.

Since public financial support of private education was first instituted in 1967, the government of Alberta (both the Social Credit and Progressive Conservative parties) has been favourably disposed to increasing such aid. The procedure used to accomplish this has been to increase the per pupil grants incrementally while avoiding any support for capital expenditures. Some additional small grants have also been made available to private schools. The stated target level of support of the present government is 80 percent of the grant paid to public school systems. Although this level has not yet been reached, incremental increases of approximately five percent per year have been granted.

Financial support for private schools for the handicapped has increased steadily since 1954. This support too has been tied to similar grants paid to schools in the public sector.

With public support of private education has come a concern for accountability. Under the new system of categorizing schools, certain requirements must be met before private schools can qualify for public aid. Schools wishing to operate with greater autonomy can theoretically do so without the benefit of any public financial support.

CONCLUSIONS

Generally a government may take one of three approaches in dealing with private schools, namely, discourage, tolerate or encourage their existence. Throughout the province's history, the tendency has been for the government to tolerate and to increasingly encourage the existence of private schools. Evidence of this is found in the increased level of funding which has been made available to private schools during the past twenty-five years. In addition, the unique contribution of these schools has been recognized by the Department of Education since 1919. In some instances (e.g., schools for the handicapped) the public school system has increasingly assumed responsibility for students previously served by private schools, thereby demonstrating a recognition of the important contribution made by these schools.

About the time the umbrella concept was conceived at least two conditions obtained which help explain why this policy was proposed. First, many private schools were in danger of closing due to lack of funds. High rates of inflation were primarily responsible for this situation. The government decision to fund private schools kept many of them from going out of existence. These schools continued to lobby for a level of financial support resembling that given to public schools claiming that they offered an equivalent alternative. At the same time groups associated with the public system saw no need for such alternatives and opposed any public aid to private schools (Memorandum, Dr. E.J.M. Church to Minister, May 20, 1975).

Second, during the early 1970's the concept of increased diversity in education was popularized. Simply stated, many felt that the public

education system should better strive to serve a pluralistic society. The number and types of alternative schools within the public system increased rapidly, first in the United States and finally in Canada.

As documented in the following chapter, about this time the voucher concept was discussed at some length in the Alberta Legislative Assembly. This concept might best be described as free enterprise education where meeting the needs of a pluralistic society and increasing parental influence are the motivating forces.

It was within this context that the umbrella concept was conceived. This concept had the potential to ensure the survival of private schools, make public financial support of private schools less obvious, and provide for increased diversity and parental input into the public school system. These notions are elaborated upon in the following chapter.

CHAPTER 5

ANALYSIS OF DATA: THE POLICYMAKING PROCESS

Five major questions were posed to guide the researcher in analyzing the policy decision. Four of the five questions related to the policymaking process while one related to policy implementation. This chapter contains an analysis of the data collected in relation to the policymaking process. Each of the four major questions is addressed individually.

INPUT OF INTEREST GROUPS

What individuals or groups influenced or attempted to influence the policy decision?

(a) Why did these individuals or groups wish to influence the policy decision?

(b) What vehicles of communication were employed by these individuals or groups?

Several groups directly or indirectly influenced or attempted to influence the policy decision. These included The Alberta Teachers' Association (ATA), the Alberta School Trustees' Association (ASTA), the Association of Independent Schools and Colleges of Alberta (AISCA), and the Edmonton Society for Christian Education (ESCE).

The Alberta Teachers' Association

As early as 1967 the ATA clearly stated its position in regard to public aid for private education in the form of a policy resolution. Specifically, the resolution stated:

> The Alberta Teachers' Association is opposed to the expenditure of public funds for either direct or indirect support of private schools which duplicate educational services offered by public or separate school districts. (Policy resolution 7.A.8 passed 1967 and affirmed in 1970, 1975.)

The following ten reasons for this position were attached to the resolution:

1. It is the belief of our Association that education can benefit to the greatest degree by using all available public funds for the development of a public school system.

2. With limited financial resources increased public support of private schools will lower the support for, and therefore the quality of offerings in public schools. Experience elsewhere has shown that tax payers who send their children to private schools are less willing to support public schools than are those who accept, use and support the schools provided for all.

3. Public support to private schools would tend to increase the number of private schools and lead to further fragmentation of our educational system. Our educational system is already bifurcated. The result would be more segregation when we need more unity.

4. More support would mean more government control of private schools and government would be faced with the problem of accepting some schools for grant purposes while rejecting others.

5. Students presently attending private schools can be assimilated into the public system with a minimum of additional educational cost to the tax payer.

6. Supporters of private schools do so by choice and therefore should be expected to pay their own way.

7. One raison d'etre for private schools is to teach religion. Religion can now be taught as part of the curriculum and therefore schools do not have to be established for the purpose of religious instruction.

8. The basic human right of freedom of choice does not mean that the government has to provide alternatives to educational services.

There is freedom to establish private schools. There is parental freedom to support such schools. The freedom to exist does not mean that they be supported by public monies.

9. Public support to private schools would set a precedent for public support of other services which duplicate public services.

10. The ATA is in favour of public support of private schools where the services offered are different from those offered in the public systems. (Policy resolution 7.A.8 passed 1967 and affirmed 1970, 1975.)

The position of the ATA was communicated through membership in the Ad Hoc Committee to Examine the Status of Private Schools in Alberta which initially met on October 26, 1971. At this meeting representatives of the Department of Education, the Faculties of Education, the ATA, the ASTA and the AISCA were asked to submit to a subcommittee their official position with regard to private education in Alberta, if such a position had been formalized.

The position of the ATA remained firm throughout the term of this committee. In fact, it was the unbending positions of the ATA and ASTA representatives on the one hand, and those of the AISCA on the other, and the inability of these groups to agree on how to advise the Minister that eventually led to the committee being dissolved.

The position of the ATA, therefore, was very clear to Department of Education officials and to the Minister of Education. As the Director of Special Educational Services summed it up:

> Members of the committee representing the Alberta Trustees' Association and The Alberta Teachers' Association were firmly opposed to financial aid to private schools and, in any event, would not like to see financial aid to these schools increased. (Memorandum, Director of Special Educational Services to Minister, May 19, 1972.)

A second vehicle which the ATA used to communicate its position was the Advisory Committee on Private Schools and Colleges. This vehicle

was distinct from the first committee mentioned in that it was a standing committee. The ATA's input through this committee, however, was identical to that given through the Ad Hoc Committee resulting in a similar fate for the standing committee. These facts are verified by the following excerpts taken from a recommendation made to the Associate Deputy Minister of Education by the Director of Special Educational Services on June 12, 1973 which signalled the end of the committee's existence.

> I recommend that the Advisory Committee on Private Schools and Colleges be disbanded because: 1. As the Committee was constituted it was difficult, if not impossible, for the members to agree on what advice should be given. The Alberta Teachers' Association representatives were usually hostile to the existence of private schools. (Memorandum, Director of Special Educational Services to Associate Deputy Minister, June 12, 1973.)

The ATA position was clearly understood and taken into consideration by Department officials and politicians alike. This will be discussed further in relation to the question which deals with the implicit influence held by various interest groups involved in the policy decision.

After the policy proposed was developed and publicized, the President of the ATA contacted the Department suggesting alternative amendments and delay. He wished to receive assurances that teachers would receive rights and accept duties and responsibilities of associate membership in the ATA.

The Alberta School Trustees' Association

The ASTA position relative to the funding of private schools from public sources was stated by that association in 1967 in response to the Alberta Government's decision to supply such funds. Specifically, their position was that they:

> . . . not support the principle of financial grants from the general revenue of the province to private schools which, being private, operate outside the jurisdiction of the public system. (ASTA Members' Handbook 1978 Education Policy Statement, 4.C.29.)

The background given to support this position was as follows:

> Education in Alberta is the responsibility of the provincial government as provided in the British North America Act. All children in Alberta are provided with a free education through the public or separate school system. Monies for the support of these systems is provided by local property taxes, grants from general revenues of the province and the federal government. Thus, the provincial government has recognized its responsibilities to provide education for Alberta youth. It is an accepted democratic principle that where public funds are used for educational purposes, the responsibility for its use should be by elected school trustees or school committees of elected county councils. (Background presented to support Policy Statement 4.C.29, 1967 Annual Convention Resolutions Bulletin.)

Although the ASTA position was similar to and continues to mirror the official ATA position, the ASTA has been somewhat less adamant. For example, when the Director of Special Educational Services advised the Associate Deputy Minister that the Advisory Committee on Private Schools and Colleges should be disbanded, he referred to the ATA representatives as usually being hostile to the existence of private schools, however, he referred to the ASTA as being indifferent. Perhaps this "indifference" is due in part to the strong positive feelings of trustees from some individual school jurisdictions who have been particularly vociferous regarding their views on funding of private schools. These views are examined in more detail in Chapter Six.

What is important to note is that as long as the question of public support of private education was addressed at the provincial level, the ASTA would, in principle, be opposed. If the question were addressed at the local school jurisdiction level, however, more support might be received from individual school boards.

The Association of Private Schools and Colleges of Alberta/The Association of Independent Schools and Colleges of Alberta

As documented by Digout (1969:129), the AISCA was one of three groups who in the late sixties were most responsible for acquainting legislators with the arguments in favor of public aid to private education. Digout felt that the efforts of the AISCA contributed significantly to the February 21, 1967 passage of Bill 29 which provided for the first direct public aid to private schools.

Encouraged by the apparent success of their efforts, the AISCA pursued the matter of increasing public aid to private education on several fronts. One means of attempting to influence decision makers in regard to this issue was through representation on both the Ad Hoc Committee to Examine the Status of Private Schools in Alberta and the Advisory Committee on Private Schools and Colleges. Such representation appeared to be at the request of the government. For example, at the November 6, 1971, Fall Convention of the Association of Private Schools and Colleges of Alberta, the president noted that no definite matters had been settled through the Minister's Advisory Committee. However, he presented the following point of view:

> . . . it was good with a new government for this Association to have a definite input, and the government seems to want this. The government seems very receptive to what we have to say and we should take the opportunity to speak (Minutes, AISCA Fall Convention, November 6, 1971).

The Director of Special Educational Services' perception of what the AISCA hoped to achieve through the Ad Hoc Committee was outlined to the Minister as follows:

1. a rather detailed act setting forth the terms and conditions under which they are approved and operate;

2. guarantees of financial assistance at a set proportion of the financial assistance available to public schools;

3. a guarantee that the philosophy of education promoted in the school be the sole right and concern of the governing board of the school (Memorandum, Director of Special Educational Services to Minister of Education, May 19, 1972).

The AISCA did not limit its efforts to communicate its position through formally constituted committees. Indeed, one of the reasons given by the Director of Special Educational Services for recommending that the standing Advisory Committee be disbanded was that:

2. In recent times the Alberta Association of Private (now Independent) Schools and Colleges has been disposed to advise the Minister directly on their needs, by means of briefs to and audiences with the Minister (Memorandum, Director of Special Educational Services to Associate Deputy Minister, June 12, 1973).

Perhaps one of the most ambitious attempts by the AISCA to communicate its position to the policymakers was the production in 1972 of a proposed Bill called Bill 300, An Act Respecting Independent Schools (AISCA files). This document, which was designed to look like any other proposed government bill, was distributed in October of that year to all members of the Legislative Assembly, some of whom assumed it was a proposed government Bill. The objectives of Bill 300 were stated under explanatory notes as follows:

(1) to grant so-called private schools full legal recognition on the grounds of equality of all citizens in education as expressed in the Universal Declaration of Human Rights;

(2) to translate legal equality of choice of education into the financial ability to exercise such choice by the provision of provincial grants;

(3) to provide controls related to financial support while maintaining maximum flexibility to accommodate various kinds of independent schools (Bill 300).

A follow-up letter was sent from the AISCA president to all MLA's in December requesting them to, ". . . communicate the urgency of this request to the Premier and the Cabinet" (Letter, Mr. J. Ludwig to all Members of the Legislative Assembly, June 12, 1972).

A second document endorsed by the AISCA which contained a clear statement of their position and which received widespread circulation was the 1973 Education Manifesto. This document, prepared by Professor Ernest Mardon, was endorsed by over 600 persons at a 1973 Edmonton public meeting of private school supporters, at a 1973 Lethbridge public meeting, and at the AISCA Provincial Convention in 1974. The Manifesto asserted that:

1. It is the first right and duty of parents to educate their children.

2. It is the right and duty of the Government of the Province of Alberta to ensure and further the education of each child in the province.

3. I hold that this duty on the part of the government may best be carried out by promoting realistic educational alternatives in conformity with the reasonable wishes of parents.

4. Further, these realistic and reasonable alternatives cannot successfully be promoted in a single--or even dual--system which must inevitably remain more or less inflexible and too remotely removed from the effective influence of parents.

5. I hold further that such alternatives can most realistically be carried out:

   a) By giving legal recognition to independent schools in an Act of the Province of Alberta, and

   b) By providing the same public support for the education of every child in the province regardless of whether he or she is attending a public, separate or independent school.

6. I hold further that the Foundation Program Fund provides the necessary ready-made machinery to provide such public support to every child in the province without the necessity of major legislative change.

I therefore respectfully request the Government of the Province of Alberta to effect the necessary legislation to provide:

a) legal status to independent schools comparable to that enjoyed by public and separate schools, and

b) public grants in support of the education of each child in the province, the grant to follow the child to the school of the parents' choice whether public, separate or independent (AISCA Education Manifesto, 1973).

A copy of this Education Manifesto was sent to the Minister of Education who responded in the following way in a letter to the president of the AISCA: "May I congratulate you on producing a clear and unambiguous statement of your aims and on securing the widespread support of the parents of children attending your school" (Letter, Hon. L. Hyndman to President of AISCA, February 21, 1974).

The AISCA also attempted to influence government policy in regard to funding private schools through directly contacting Members of the Legislative Assembly. For example, at the 1973 executive meeting of the AISCA, it was approved that the president:

> . . . send a letter to all (AISCA) member schools to encourage their supporters to contact their MLA's. A suggestion will also be made to organize society and regional meetings to promote the cause of Independent schools politically (Minutes, AISCA Executive Meeting, May 7, 1973).

The executive also directed the president to approach the Premier:

> . . . for his views as regards to the effective rights of parents to educate their children as this was also one of the Association's resolutions presented to his office when the Alberta Bill of Rights was under consideration (Minutes, AISCA Executive Meeting, May 7, 1973).

Private school supporters apparently responded to the AISCA president's advice with some success as an April 23, 1974 response from the Minister to a private citizen contained the following comment:

> A great many letters of support, such as your own have been received by all MLA's and as a result, a resolution has been placed on the Order Paper of the Legislative Assembly (Letter, Hon. L. Hyndman to Miss Lakker, April 23, 1974).

An examination of Department of Education and AISCA files revealed that the president of the AISCA kept the association's position before the Minister through relatively regular written correspondence. A news release prepared by the AISCA but never printed noted that:

> The AISCA has been quite active for some time now, putting pressure on the government through briefs, letter writing campaigns and regional public meetings as well as direct contacts between the Minister and the executive (AISCA files, 1974).

Early in 1974 the AISCA was informed by the Director of Special Educational Services of the umbrella concept. The March 27 AISCA President's Newsletter indicated that the umbrella concept was a ". . . new approach to independent school financing," and that ". . . the only way to acquire anything approaching financial equality for independent schools would be under the umbrella."

Further talks regarding the umbrella concept were carried out involving the Director of Special Educational Services and the president of the AISCA and as a result a report written by Dr. E.J.M. Church to the Minister was read at the AISCA's 1974 Annual Convention. Delegates expressed concern that the government may have envisioned the umbrella concept as an alternative to the AISCA demands articulated in Bill 300 and, therefore, requested more information on the proposal from the Department of Education (Report, AISCA Convention, June 3, 1974).

With the change of Ministers in the spring of 1975, the AISCA again requested a meeting with the Minister to discuss the Association's objectives and to hear the views of the Minister in regard

to Bill 300 and the umbrella concept (Letter, Mr. J. Ludwig to Hon. J. Koziak, May 6, 1975).

A memorandum written by the Director of Special Educational Services to the new Minister outlined the past activities and concerns of the AISCA. He stated, "In the last five years the independent schools have become more vociferous in their demands for increased grants" (Memorandum, Dr. E.J.M. Church to Hon. J. Koziak, May 20, 1975). Inflation and the resultant financial squeeze had threatened the existence of some schools. He indicated that the Association's claim for funding nearly equal to that provided for public education was based on the fact that they felt that ". . . they provide an equivalent alternative to public education" (Memorandum, Dr. E.J.M. Church to Hon. J. Koziak, May 20, 1975).

In September of 1975 representatives from the AISCA met with the Deputy Minister and the Associate Deputy Minister of Education to further discuss the umbrella concept. Possible legislative problems were acknowledged by the Department officials; however, they indicated to the AISCA representatives that they favored the umbrella concept (Memorandum to file, September 8, 1975).

In March of 1976 the Director of Special Educational Services met with AISCA representatives to discuss the government's view of education, independent school representatives contact with government officials, grants to independent schools and the umbrella concept. Generally, the Association wished to maintain contact with the Department officials to keep informed of the direction the Department was taking in regard to funding of independent schools and to determine the most appropriate action to be taken by the Association (Report, AISCA meeting with Dr. E.J.M. Church, March 18, 1976).

The AISCA remained somewhat apprehensive of the proposed umbrella concept, however, as evidenced by a report from a May 10, 1976 AISCA meeting. In this report concern was expressed about the Association's common need being fragmented as individual schools became involved in umbrella agreements. There was a feeling that such agreements made it more difficult for the AISCA to present a unified position to the government and the public.

Perhaps clarification is necessary here as technically no agreements for the provision of educational services had been completed at this time. What the report referred to were, in effect, take-overs of private schools by public school authorities, which resulted from discussions aimed at such agreements. This situation will be discussed more fully in the following chapter.

Perhaps the uneasiness the AISCA felt toward the umbrella concept was due to the fact that the Department's purpose in recommending umbrella agreements was not clear. This was evident at the August 24, 1976 meeting called by the Department to discuss a model contract to be used in umbrella agreements between public and private schools. During this meeting AISCA representatives questioned the Department officials regarding the possibility of money being paid out under the present regulations if an umbrella agreement were completed. As a result, this matter was referred to the appropriate authorities in the Department for review.

The AISCA representatives also asked if any guidelines existed which would be used by the Minister in determining whether or not to approve umbrella agreements. They were informed that no guidelines

existed. The AISCA wished to know if an agreement could be approved which would give ultimate authority to the independent school authority, without "interference" from the public authority. As the ASTA representative present at the meeting said: "They really wanted to know how much independence they could retain and still benefit from some sort of a contractual relationship" (Report, meeting called by the Department of Education to discuss a Model Umbrella Agreement, ASTA files, March 24, 1976).

The Department indicated to the AISCA representatives that there had to be some rendering of educational services as opposed to just a transmission of funds for the agreement to be acceptable.

At the January 27, 1977 AISCA annual meeting with the Minister, the umbrella concept was discussed as was the funding levels currently available to independent schools. The Deputy Minister advised the AISCA representatives that the concept had more legal ramifications than were first evident but work in that regard was continuing (Report, AISCA meeting with Minister, AISCA files, January 27, 1977).

At the February 17, 1977 AISCA Annual General Meeting, the Association reaffirmed its commitment to lobbying for per pupil grants equal to those paid to public school authorities. As well, delegates were reminded of the need to persuade their MLA's of the justice of the position. There was also a reaffirmation made of the Association's aim to pursue relations directly with the Department rather than with individual school boards, and to gain parity in operational grants with the public system. A motion was unanimously carried reaffirming the AISCA's support for the position outlined in Bill 300.

Following the meeting a letter was circulated to all Members of the Legislative Assembly informing them of the Association's commitment to the position outlined in Bill 300.

At the June 20, 1977 executive meeting of the AISCA, a decision was made to invite those MLA's who were supportive of independent schools to address the AISCA. The president of the AISCA, Dr. G. Cormack, indicated that he felt a favorable climate toward independent schools among MLA's had to be cultivated before the Association pressed the position articulated in Bill 300. At the General Meeting which followed, Edmonton Highlands MLA, Mr. D. King, delivered an address outlining his reasons for having a commitment to independent schools (Minutes, AISCA Executive Meeting, June 20, 1977).

In October of 1977 the Associate Deputy Minister of Education, Dr. J.S. Hrabi, addressed the AISCA General Meeting at the invitation of the Association. The topic of his presentation was the umbrella concept and the inability of school authorities to implement it. During the discussion which ensued, Dr. Hrabi stated that a public school board has ultimate authority over those programs for which it receives funds. Residency of students was explained as being determined by the faith of the individual. For example, in Edmonton an individual not of the Roman Catholic faith would be a resident of the Edmonton Public School District. Therefore, families who send their students to an independent school but are non-Catholic would not be considered residents of the Separate School District should an agreement be made between an independent school authority and a Separate School District (Minutes, AISCA General Meeting, October 20, 1977).

The Association decided to inform the Minister of these circumstances and the resultant improbability that any umbrella agreements would be made and to use this information as a basis for requesting an increase in the grants for the following year.

In October of 1978 Mr. B.W. Diachuk, MLA for Edmonton Beverly, represented the Minister of Education, Hon. J. Koziak, at a meeting with the AISCA. At this meeting, the AISCA supported the ESCE recommendation that funding for independent schools should rise to 80 percent of the per pupil School Foundation Program Fund grant for public school pupils. In a memorandum to the Minister of Education, Mr. Diachuk stated: "I assured the delegates that I would forward their representation and that I would support the increase to 80 percent" (Memorandum, personal files of Mr. B.W. Diachuk, October 30, 1978).

Summary. The AISCA produced a clear statement of its position and made this position known to the policymakers through contacts with Department of Education officials, the Minister of Education and individual Members of the Legislative Assembly. Their position was most vigorously communicated prior to the development of the umbrella concept and influenced the Minister in the further development of the proposed policy. Contacts with MLA's involving political pressure tactics, and what Hon. L. Hyndman termed "thoughtful input," was well received.

When the concept was introduced, various AISCA members sought to conclude agreements because they felt this was the only way they could achieve a major increase in government funding. Nevertheless, they were somewhat reluctant to fully encorse the concept as they feared it was an alternative rather than a response to the Association's demands for passage

of Bill 300. In addition, the Association felt the umbrella concept held the potential for fragmenting the Association, making it more difficult for the Association to present a unified position.

Part of the apprehension on the part of the AISCA was because the concept was not rationalized; that is, the Association did not know why the Minister wanted to implement the concept, and what it was intended to achieve. The AISCA did not even know who developed the concept.

As it became clear that legislative and regulatory changes were necessary before an umbrella agreement could be concluded, and as the likelihood of an agreement being finalized diminished, the AISCA continued to pursue an increase in the level of grants available to independent schools through attempting to persuade politicians and bureaucrats of the justness of their position.

High priority was placed on keeping MLA's informed of the activities and demands of the Association. Such communications were quite favorably received by a number of politicians. Contacts with the Department appeared to be aimed at seeking clarification of the umbrella concept and the direction the government was taking in order to guide the efforts of the Association.

The AISCA clearly stated its position to the policymakers through membership on advisory committees, briefs to MLA's and the Minister, letter writing campaigns, personal contacts, regular and special meetings with policymakers, and by inviting policymakers to make presentations at Association meetings.

Edmonton Society for Christian Education (ESCE)

For approximately three decades the ESCE has been a politically active interest group in Alberta whose primary concern is the education of some 1,000 students attending the Society's four independent Christian schools in Edmonton. Since the Society is the largest member of the AISCA in terms of students served, it has actively participated in submissions prepared for presentation to the Department of Education, the Minister, and various Members of the Legislative Assembly by the AISCA. However, the Society has not been confined to representation through this Association. Rather, the ESCE has carried on its own relatively vigorous program of activity in relation to contacts with the Minister, MLA's, and the Department of Education.

The input of the ESCE concerning the umbrella concept was initiated when the Director of Special Educational Services approached the Society in early 1974 to explore their reactions to the new government proposal of associate status for private schools through the implementation of umbrella agreements with public systems. Shortly thereafter (October 29, 1974), the Society organized an "Umbrella Committee" whose mandate was:

> . . . to undertake discussions and negotiations with the Edmonton Public School Board with a view to finding possible areas of cooperation (Memorandum, J. Vandenborn to Umbrella Committee, February 1, 1975; Minutes, ESCE Board Meeting, October 29, 1974).

The activities of this committee are discussed more fully in the following chapter.

Characteristically, the Society worked closely with Members of

the Legislative Assembly and Department officials in pursuing what was referred to as "educational justice" through the proposed umbrella agreement. In some instances, the Society's input was requested; in other instances, conscious efforts were made by the Society to make its desires known. The ESCE made numerous contacts with Members of the Legislative Assembly, the Minister, and Department of Education officials during the period of time from February 1974 when the ESCE first learned of the umbrella concept, until February 1978, when attempts to forge an agreement with the Edmonton Public School Board were finally abandoned.

In the fall of 1974 the Society invited MLA's Hon. G. Amerongen, Mr. B.W. Diachuk and Mr. L.G. Young to their annual meeting. These MLA's had been in contact with Department of Education officials and had been advised of the possibility of private schools entering into umbrella agreements with public school districts. Therefore, the MLA's recommended that the Society pursue such an agreement with the Edmonton Public School Board (Report of ESCE meeting, October 15, 1974).

The advice of the Department of Education officials and the MLA's was heeded. When the initial discussions proved to be encouraging, the Department was asked to arrange a meeting involving representatives of the Department, the ESCE and the Edmonton Public School Board (EPSB).

Following this meeting, a letter was sent to the Minister of Education advising him of the action taken by the Society upon the advice of the MLA's. A copy of this letter was sent to the MLA's involved.

The Society realized that their perception of an umbrella agreement and that of the Edmonton Public School Board differed in a

fundamental way. They prepared a position paper to present to the Edmonton Public School Board but first sent it to Department of Education officials for their reaction.

The Deputy Minister was kept informed of the Society's progress toward an umbrella agreement and his counsel was requested. As a result, the Department assisted the Society in preparing its presentation to the Edmonton Public School Board.

When Department of Education officials notified the ESCE that legislative amendments would have to be made in order to make possible umbrella agreements such as the Society was pursuing with the EPSB, the Society suspended negotiations with the Board and notified the Minister of this action. They then used these developments as leverage in requesting an upward revision in the grants for the coming year. In addition, an audience with the Minister was requested. The request was denied; however, the Society was asked to contact the Minister in a few months.

The Society had, at this point, made a decision to urge the government to change the funding regulations and to increase grants to the independent schools rather than urging the government to make the necessary legislative changes to permit umbrella agreements to be concluded (Newsletter from Board of ESCE, November 9, 1975). The umbrella concept had been pursued only because the Society had been advised by MLA's and Department officials to do so. This was not the preferred direction of the Society.

Communications with MLA's continued, and apparently the ESCE gained the support of at least some of the Edmonton MLA's.

A note written by Mr. L.G. Young to then Education Minister, Hon. J. Koziak, in the fall of 1975 read as follows:

> Julian
> Special plea for private schools--Can we not increase the relative portion of public grant? At least we should not allow the absolute $ gap to increase.
> Les. Y.

The Minister replied:

> What are your thoughts on private schools? I realize your support for them. What financing changes from the present would you recommend?
> Julian

To this Mr. Young replied:

> General objectives--
> 1) Organizationally--to force coordination of planning by private groups with public system--some variant of proposed "umbrella" approach.
>
> 2) A much greater $ contribution to private schools. With inflation their situation is becoming desperate. I think we could go to 70% of cost or of public support. To [be] more definitive [it] would be necessary to deal with exact statistics.
> Les Y.
> (Personal notes to and from Hon. J. Koziak and Mr. L.G. Young, Department of Education files.)

In a personal interview, Mr. Young outlined his views about, and associations with the ESCE. He noted that in 1969 the ESCE supporters were basically Social Credit supporters. They had been instrumental in winning the Social Credit nomination for John Ludwig, a former AISCA president who, in 1971, ran and lost against Mr. Young. Mr. Young noted that he and the other MLA's who have ESCE supporters in their constituencies hold annual meetings with the Society. At one of the meetings, he gave them his commitment to work toward increased funding for private schools. However, he suggested to them that there was a level of support beyond which the government would have to "call the tune" in relation to

the operation of the schools. He felt this upper limit for funding private schools was 70 percent of the School Foundation Program Fund grant to public and separate schools.

A second MLA, Hon. G. Amerongen, quite clearly supported the ESCE's position with regard to funding of private schools. A letter written to the Secretary of the ESCE with copies sent to the Minister of Education and MLA's B.W. Diachuk and L.G. Young, stated in part:

> I would hope that eventually we would be completely fair about school revenue and ensure that the dollar would follow the child on a completely equitable basis, while respecting the parents rights to choose the appropriate education for their children . . . (Letter, Hon. G. Amerongen to Secretary ESCE, March 31, 1976).

The third MLA who had been invited to meet with the ESCE in 1974 also supported the Society. In a personal interview conducted on January 17, 1979, Mr. B.W. Diachuk stated that the Minister had asked for his input concerning the funding of private schools and that he had suggested that such funding should be raised to 80 percent of the School Foundation Program Fund grant for public schools.

Mr. Diachuk noted that of the three constituencies containing ESCE supporters his had the greatest number. He indicated that members of this Society realized that he was sympathetic to private schools so decided to support him. In 1975, several members of this Society were in his campaign organization.

The Society is largely made up of first and second generation Dutch immigrants who are members of the Dutch Reformed or Christian Reformed churches. The Edmonton Society for Christian Education was referred to by opposition leader Mr. R.C. Clark as "an astute group who can bring a block of votes" and as a group "who have feet in both camps" (Interview, Mr. R.C. Clark, January 19, 1979).

Yearly submissions were made to the Minister of Education informing him of ESCE's progress, or lack thereof, toward an umbrella agreement with the Edmonton Public School Board. In addition, in the fall of 1976 the ESCE submitted to the Minister a position paper entitled, "A Brief Regarding the Place of Independent Schools in Alberta's Educational Structure." The main recommendation outlined in the brief was that the government raise the level of support for private schools from 40 percent to 80 percent of the per pupil SFPF grant to public and separate schools. The suggestion was made that if budgetary restrictions made such an increase impossible to effect in one year that:

> . . . the government should declare this to be its target figure which it hopes to reach over a two or three year period on a step-by-step basis (Letter, ESCE Board to Hon. J. Koziak, November 17, 1976).

This proposal apparently was subsequently accepted by the government. In responding to an opposition member's question in the House approximately nineteen months later, the Minister of Education replied:

> The Honorable member poses the question: What are the ultimate goals in terms of funding of private schools? The figure this year is 55 percent; last year it was 50 percent; the year before, 33.33 percent. That would indicate a particular plan. I would see private schools in the category one group funded at perhaps 80 percent of the school foundation program fund . . . (Alberta Hansard, April 26, 1978, 845).

In 1977 the Umbrella Committee of the ESCE became known as the Government Relations Committee and assumed a much larger mandate, namely:

1. To initiate and maintain relations with all levels of government and school officials on matters concerning educational justice.

2. To prepare reports to the Board of the ESCE on the committee's activities and to recommend new ventures to the Board for approval (Memorandum, Government Relations Committee of ESCE to Strategic Planning Committee, May 14, 1977).

The committee proposed to continue meeting with members of the Department of Education and various MLA's directly ". . . even though it [was] known that the Department would prefer to communicate mainly through the AISCA." However, the committee felt that where possible, communications should be made through the AISCA.

The committee described its procedure of communicating the Board's desires in the following way:

> . . . we have not made powerful expressions of demand and strewn these before the mass media. Rather the communications have appealed to justness and been forwarded to the proper individuals in the government hierarchy . . . . While we have the goodwill of officialdom, it is deemed by our committee that a continuance of the quiet approach will be most productive (Memorandum, Government Relations Committee to Strategic Planning Committee, May 14, 1977).

The committee further noted that two approaches were being pursued to secure public funding for ESCE schools. One was to seek an increase in the grants to a level equal to 80 percent of the SFPF grant available to public schools, while the second was to seek an umbrella agreement with a public school system.

The committee ended the communication by stating that their policy has been and will continue to be to work with MLA's of all parties.

In November of 1977, the ESCE again approached the Minister reminding him of their position paper and their request of the previous year for funding increases to private schools. The Society was informed by the Minister that the grants had been increased from 40 to 50 percent the previous year and that the ESCE's submission would be reviewed again during the current year. As a result of this review, the grant was again increased, this time from 50 percent to 55 percent.

The following month the ESCE arranged a meeting with the following Members of the Legislative Assembly: Hon. J. Koziak, Hon. G. Amerongen, Hon. Dr. E.A. Hohol, Mr. B.W. Diachuk, Mr. D. King and Mr. L.G. Young. The letter of invitation stated that:

> We would like you to gain, first-hand, some understanding of our ideas and plans and we would like to hear any advice or comments you might have to offer respecting our educational endeavors. As well, we would be pleased to gain a richer level of personal acquaintance with all of you (Letter, ESCE Board to Hon. J. Koziak, Hon. G. Amerongen, Hon. Dr. E.A. Hohol, Mr. B.W. Diachuk, Mr. D. King and Mr. L.G. Young, December 1, 1977).

The letter indicated that the reason these MLA's had been invited was that with the exception of Hon. J. Koziak, it was within their constituencies that most of the ESCE supporters resided. Hon. J. Koziak was invited in his capacity of Education Minister.

In December of 1977, a letter was sent to the Minister requesting that he structure a committee of five consisting of two representatives from the AISCA, one from the ASTA, one from the ACSTA and one from the Department of Education. This committee's mandate would include determining laws and regulations related to the umbrella concept, providing a statement on where ultimate authority would lie in relation to such matters as staffing, curriculum, student enrollment and budgeting considerations, and devising mechanisms for resolving conflicts relative to these matters. As well, this committee would advise, (1) the Minister of any needed legislative and/or regulatory changes, (2) the Department regarding the implementation of these changes, and (3) any Boards contemplating entering into umbrella agreements (Letter, ESCE Board to Hon. J. Koziak, December 28, 1977).

The Minister responded that he did not feel such a committee would serve a useful purpose. He also noted that he, and his predecessor, wished to allow for a great deal of flexibility in the arrangements agreed upon (Letter, Hon. J. Koziak ot ESCE Board, February 1, 1978).

At this point the ESCE was faced with the following situation. The EPSB would not enter into any agreement with ESCE unless the public board maintained ultimate authority. This was unacceptable to the ESCE. There also appeared to be no recourse through the Department or the Minister in forcing or encouraging an alternative arrangement with the public board. The umbrella concept was not the only avenue open to the ESCE in their pursuit of what they deemed to be educational justice. They had been successful in having their requests met for an increased level of funding without having entered into an umbrella agreement. They had followed the advice of the Department and the Ministers of the Legislative Assembly in pursuing an umbrella agreement; therefore, they were not pressured to accept an agreement which would jeopardize their unique identity simply to obtain the funds required for continued existence.

Throughout the four-year period during which the umbrella concept was pursued by the ESCE, numerous contacts were made by the Society with the Minister of Education, the Edmonton MLA's in whose constituencies the ESCE supporters resided and high-ranking Department of Education officials.

Generally, the Society already had, or gained, the support of the MLA's for an increased level of funding. At no time was pressure applied by the politicians to force the Society to enter into an agreement

with the public system which would have seen the Society trade their autonomy for financial advantage. In fact, the systematic increase in grants each year obviated, at least in part, the need for an umbrella agreement with the public system.

The support the Society gained appeared to be partly the result of thoughtful arguments outlined in a position paper. ESCE members also became politically active in support of their MLA's. The Society took opportunities to seek and follow advice from the MLA's and to keep them informed of the Society's activities related to these suggestions. There appeared to be a belief by the ESCE that if their position was clearly articulated to the Members of the Legislative Assembly that the justness of that position would be readily seen.

Yearly written submissions were made to the Minister together with a request for an audience with him. Although this was not always granted, the written submissions appeared to receive due consideration. As a matter of course, the Minister was kept informed of the activities of the Society about their efforts to forge an umbrella agreement under acceptable terms.

Contacts with the Department were generally at the Deputy Minister, Associate Deputy Minister, or Director level. Such contacts were made either to seek advice or to inform them of the activities or plans of the Society. The nature of the ESCE's contacts with the Department was articulated as follows in a letter from the Society to the Minister in November of 1977:

> The ESCE has now an extensive history of interactions with the Department of Education. Generally, we have found the relationship to be cordial and professional, for even though our policies are not entirely congruent, the differences have not bred ill-will or abrasiveness of any kind.

INFLUENCE

What potential and implicit influence was held, and what manifest influence was exercised by those who had, or attempted to have input into the policy decision?

Initially an attempt was made to gain an understanding of the potential, manifest and implicit influence of the interest groups involved in the policy process by collecting the perceptions of representatives of each group. The individuals who were interviewed experienced difficulty in making judgments about the political resources held or manifested by the various groups. General agreement existed, however, concerning the relative potential influence held by those opposed to increased funding and those who supported increased funding for private schools.

The most useful data related to the implicit influence held and the manifest influence exerted by the various groups were obtained during a January 15, 1979 interview with the Hon. L. Hyndman. Since he alone was responsible for developing the actual umbrella concept, his perceptions of influence were deemed to be most valid. Comments made about implicit and manifest influence were primarily based on this interview. Additional supporting data concerning manifest influence is presented in other portions of this chapter, therefore, are not documented here. These include personal contacts with Members of the Legislative Assembly and Department officials, presentation of position papers, letter writing campaigns and correspondence with the Minister.

Groups who had or attempted to have input into the policy decision differed markedly in their potential, implicit and manifest influence. In regard to size of membership, wealth, time, social standing, specialized expertise, electoral potency and effectiveness of organization, the ATA and ASTA held significantly greater potential influence than did the AISCA and the ESCE. In other words, those opposed to any arrangement whereby public funds would be expended in support of private education had significantly greater potential influence than did those in favor of such a move in respect to at least seven different areas. The AISCA and ESCE, however, appeared to have a greater solidarity or group cohesion, dedication or intensity of interest, and energy to go with such dedication with respect to this issue.

One reason for the difference in manifest influence is that public schools would not necessarily receive less funding if private schools received more. Hence, the issue was of more crucial importance to the AISCA and ESCE who stood to gain or lose a great deal while the other groups were merely working to maintain the status quo.

The cohesiveness of the AISCA members was not always evident. Initially, the ESCE was the only member in favor of public funding of private education. Over time the commitment of other society members was gained and a very strong unified voice was given to the AISCA's demand for increased public support of private education. This was documented in the discussion of the AISCA under Question One.

The funding of private schools was only one of many issues the ATA and ASTA had to deal with at this time while it was one of the most central issues faced by the ESCE and the AISCA in 1975, a time when many

private schools' very existence was in jeopardy due to lack of funds. Therefore, although the ATA and ASTA potentially had a substantially greater number of members, more wealth, time, social standing, specialized expertise, electoral potency and effectiveness of organization, relatively little manifest influence was directed toward the issue of public financial support of private education or the umbrella issue.

While the ESCE and the AISCA made frequent contacts with MLA's and the Department of Education officials, the ATA and ASTA tended to place comparatively lower priority on the issue and made fewer attempts to manifest the potential influence they held.

According to the Hon. L. Hyndman, it was to a large extent the communications received from the Talmud Torah Society and the AISCA which influenced him in developing the umbrella concept (Personal interview, Hon. L. Hyndman, January 15, 1979). In addition, he noted that input was also directed through various Members of the Legislative Assembly. In an April 23, 1974 letter to a private citizen, regarding financing of private schools, the Hon. L. Hyndman noted that ". . . a great many letters of support, such as your own have been received by all MLA's and as a result, a resolution has been placed on the Order Paper of the Legislative Assembly." What potential influence the independent school supporters had, they also appeared to manifest.

Clearly the ASTA and the ATA had a relatively high degree of implicit influence. In an August 20, 1973 Request for Cabinet Decision, regarding increased grants for private schools, the Hon. L. Hyndman listed under disadvantages, "ATA and ASTA may object--monies diverted." In a personal interview (January 15, 1979), Hon. L. Hyndman indicated that

in regard to the umbrella concept the ATA and ASTA reacted to his moves. He anticipated this and got the reactions he planned. The implicit influence held by the ATA and ASTA was evident also in that the Department of Education officials advised the Minister that these groups should be informed about the proposed umbrella agreement.

Both the ATA and ASTA, therefore, were taken into consideration by the Minister. Indications are that he did not formulate the umbrella concept because of any implicit influence of the independent schools supporters. It was their manifest influence and their rational arguments which most influenced his decision to adopt the umbrella concept (Personal interview, Hon. L. Hyndman, January 15, 1979). In addition, their manifest influence on various MLA's was fruitful as the Minister was influenced by the comments and convictions of his colleagues who supported the private schools. Perhaps it should be noted here that some MLA's may have been predisposed toward independent schools prior to manifest influence being exerted on them by the independent school supporters.

GATEKEEPER STRUCTURES

> Did structures inherent in the political system obstruct or facilitate individuals' or groups' attempts to influence the policy decision?

Evidence exists that the government of the day was favorably disposed to supporting private schools at a level greater than that which had been traditionally given. At the 1971 Fall Convention of the Association of Private Schools and Colleges of Alberta, the president of this Association noted that the government seemed to want input from

the Association and that they seemed receptive to what the Association had to say. This assessment was supported by the Director of Special Educational Services in his response to a question, "Is the present government (Progressive Conservative) as favorable to private schools as the previous government (Social Credit)?" He stated that he felt they were and that the Minister definitely wanted legislation on private schools (Minutes, AISCA Convention, November 6, 1971).

Department of Education Officials

By design, Department of Education personnel routinely provide input relative to educational policy and legislative change. In some instances they also act as a screen for input from interested individuals and groups. In either case, the importance of the values and views held by Department officials is clear. This is not to suggest that the recommendations and information forwarded to the Minister are solely determined by the personal beliefs and biases of Department officials. Rather, the possibility merely exists that Department officials could temper or tailor such information to better fit their own personal views.

Speaking in the Legislature concerning the issue of increasing financial support to private schools, opposition MLA and former Education Minister, Mr. R.C. Clark, suggested that such a situation did in fact exist. He stated that:

> I think we must recognize that if the government is to move in this direction and have equality in the type of support between the private and public school systems, or independent school systems, that in fact this is going to have to be a decision that's made by the politicians and is not going to be a decision recommended by the professional educators. Professional educators, with all due respect to them, are people who have gone through the public school system or the separate school system. Generally speaking, in fact in very large terms, they are not supporters

> of the private school systems. I don't say that critically, but that is a fact of life, and if we are going to move in the area of giving good and substantial support to the private school system and the private college system, it's going to have to be a decision that is made at the cabinet level, and at the level of the legislative assembly, because the initiative is not going to come from the civil servants (Alberta Hansard, November 2, 1972, 27).

Some support for such a view might be inferred from the following documents contained in Departmental files.

On January 27, 1975 a private school administrator wrote a letter to the Minister requesting, among other things, increased provincial funding of private schools (Letter, Mr. W. Wildeboer to Hon. L. Hyndman, January 27, 1975). Notes for a response to this letter made by a perhaps overzealous Department official included the phrase, "This outfit is mainly S. Credit."

In May of 1972 the Director of Special Educational Services sent a memorandum to the Minister of Education in which he reported on the activities of the Special Committee to Examine the Status of Private Schools in Alberta. He stated that, "The committee has reached an impasse with the members from the Association of Private Schools and Colleges holding one point of view and most of the other members holding another." It is perhaps significant that three senior members of the Department served on this committee.

A memorandum to the Minister from his administrative assistant contained the following words of advice:

> Currently, these private schools receive approximately one-third of the School Foundation Program pupil grant and no assistance for capital building costs. The building finances are not mentioned but I am sure they have this in mind.
>
> Do we want to build more schools with provincial funds at the same time reduce the utilization of existing schools? I would suggest that we should monitor the idea very carefully (Memorandum, R. Penrice to Hon. J. Koziak, May 28, 1975).

In an interview conducted December 18, 1978, this same Department official stated that he did not personally feel there should be funding for private schools.

In an interview with the Associate Deputy Minister, he responded to Mr. R.C. Clark's assessment by stating that the views of Department of Education personnel are as diverse as the views of the public at large. The role of civil servants is to support laws and regulations that exist. At present, he stated, such regulations discriminate against private schools.

The Director of Special Educational Services agreed that opinion was divided among Department officials relative to public aid to private schools. He stated that generally speaking, Department officials present advantages, disadvantages, and alternative solutions to the Minister. He suggested, however, that if an official holds an opinion very strongly, it would be reported to the Minister.

According to the Director of Special Educational Services, the hierarchical structure of the Department militates against a single civil servant's bias greatly affecting Departmental advice to the Minister. Since the Department is very hierarchical, an idea must be "sold" up the line. If one individual rejects it, the advice or idea does not reach the Minister.

The Directors' Council was identified as a vehicle for civil servants communicating ideas up through the Department. In this forum ideas are discussed by all the Directors and the Deputyship including the Deputy and Associate Deputy Ministers (Personal interview, Dr. E.J.M. Church, December 20, 1978). Factual and philosophical considerations would be expected to be discussed during such meetings.

An indication of how the Director of Special Educational Services felt about private schools was gained from examining his memorandum to the Minister in which he stated:

> . . . it is difficult to make a recommendation with regard to increased financial support. My interests lie in the realm of public education and my attitude toward private education is neutral (Memorandum, Dr. E.J.M. Church to Hon. J. Koziak, May 20, 1975).

Input to the Minister

Perhaps the only tangible products of the Ad Hoc Committee to Examine the Status of Private Schools in Alberta were two draft bills, one produced by the AISCA (Bill 300) and one produced by a member of the Department of Education, the Director of Special Educational Services. This second bill proposed that two classes of schools be created almost identical to the present category one and four schools. According to the Director of Special Educational Services:

> No one in the Department . . . was very excited about legislation. They argued that private schools had operated without legislation in the province for over sixty years without their existence being threatened [and] . . . any desired changes could be made by regulation (Memorandum, Dr. E.J.M. Church to Hon. J. Koziak, May 20, 1975).

In advising the new Minister, relative to the related matter of funding of private schools, the Director of Special Educational Services stated:

> My interests lie in the realm of public education and my attitude toward private education is neutral. I would be quite happy to have the politicians make the decision here (Memorandum, Dr. E.J.M. Church to Hon. J. Koziak, May 20, 1975).

A second major communication from the Department to the Minister was a discussion paper prepared by the Directorate of Special Educational Services entitled, "Diversification in Public Schooling with Special Reference to Private Schools." This paper, however, was prepared at the

request of the Minister. The Director of Special Educational Services explained the reason for this in the following way. The Minister apparently had conceived of a plan which he referred to as the umbrella concept as a means of (1) bringing a private school more closely under a public school boards' control, and (2) facilitating full SFPF support for the private school. Dr. Church's perception was that he had borrowed the idea from the Early Childhood Services model which permitted a variety of agreements between school boards and private operators which made such operators eligible for government financial support. Having given the Director a general outline of the umbrella concept, the Minister asked him to carry out exploratory talks with private school operators and public school boards and prepare the aforementioned discussion paper. On February 1, 1974, the Director of Special Educational Services released a discussion paper entitled, "Diversification in Public Schooling with Special Reference to Private Schools." The focus of this paper was planned diversification within the public school system and more specifically, on diversification between schools within a public system which included private schools being accommodated within the public system. The writer of the discussion paper examined those forces which favored and those which militated against increased diversification in the public schools. He noted that private schools exist as such, ". . . because their particular philosophy could not be accommodated within the public school system which allowed for little diversity" (Church, 1974:7).

He indicated that diversification has developed within the public system in relation to special educational needs and cultural and linguistic differences. However, special interests (e.g., sciences, fine arts,

ethos, philosophy or religion) have generally had to be accommodated within the private sector. He suggested there was no reason why this situation must necessarily continue.

Problems related to increased diversification including attendance boundaries, transportation, potential fractionation of the public system, and accountability were also discussed.

The paper, though general in scope, appeared to be aimed at placing the umbrella concept in some perspective in relation to diversification in public schools. For example, the fourth and final position statement on diversification read:

> Diversification between schools on the basis of moral, ethical, philosophical or religious outlook should be explored with a view to accommodating within the public school system those existing private schools which might be willing to form this closer association. The provincial government should encourage school boards and private schools, individually or in association to come together to explore conditions for an arrangement whereby private schools could be accommodated within the public school system so that both the unique characteristics of the school and also a minimum quality of basic education within the school will be guaranteed.

In light of the legislative and regulatory amendments which were ultimately required to make the umbrella agreements discussed in the position paper legally possible and to facilitate the appropriate transfer of funds it is interesting to note that Dr. Church's final statement was:

> The provincial Department of Education should examine existing legislation and regulations to see if they need revision to allow private schools to be included in public education systems without losing their identity.

Hon. L. Hyndman indicated during an interview conducted January 15, 1979 that the general reaction of the Department offficials to his idea of umbrella agreements between public school systems and private

school authorities was neutral. He said they simply researched the question and presented the pros and cons of this approach. In addition, they advised him that the ATA and ASTA should be consulted in relation to this matter particularly in regard to certain issues.

The Deputy Minister advised the Minister that he felt a legislative amendment was necessary in order to provide for the implementation of the umbrella concept. As a result Section 160 of The Alberta School Act was amended in December of 1975 to provide for agreements for the provision of educational services between public and private school authorities.

A review of Departmental files and interviews conducted with individuals directly involved in the proposed policy produced more specific information in relation to how the Departmental officials reacted to the umbrella concept.

The past president of the AISCA noted in an interview that the Departmental official most closely concerned with the policy advised the independent school people that they should move very carefully in this regard. He felt that if an umbrella contract were concluded, it might impose unacceptable limitations on the independent school. The official also noted that the level of funding was increasing perhaps obviating the need on the part of the independent school for an umbrella agreement (Personal interview, Dr. G. Cormack, December 15, 1978).

Gatekeeper structures serve to facilitate or obstruct input to the policymakers. Evidence exists to support the contention that the demands or desires of the independent school supporters were obstructed by Departmental officials. This, as Dr. J.S. Hrabi suggested, may have

been due to the fact that existing legislation was discriminatory against private schools and the role of the Department was and is to administer such legislation. In fact, the obstructing may have been due to the personal values of Departmental officials. Certainly no evidence exists to suggest these officials acted in an unprofessional manner; however, when questions of interpretation or choice were raised, Departmental officials appeared to react negatively to the independent school position.

For whatever reason, the AISCA began to develop a history of contacting the Minister directly in addition to working through channels (committees) structured by the Department. This was a contributing factor to the dissolution of the Advisory Committee on Private Schools and Colleges.

Over time more MLA's became receptive to the concerns of the independent school supporters and provided these people with access to the Minister. In addition, communications from the AISCA to the Minister were received and audiences with the Minister were granted. Although the AISCA and ESCE continued to work with the Department, the direct political entrance to the policymakers proved to be much more satisfying to the independent school supporters than working through members of the Department.

In relation to implementing the umbrella concept, the Department acted very much as a facilitator. On December 3, 1973 the Deputy Minister contacted the Minister of Education to suggest that the AISCA be contacted and encouraged to take the initiative in the development of umbrella contracts. The Deputy Minister also suggested that the Department could volunteer to act as a quasi-independent third party to

assist in such arrangements. As reported elsewhere in this study, this facilitative role continued in the Edmonton Public School Board-Edmonton Society for Christian Education negotiations.

THE POLITICAL PROCESS

What was the nature of the political process involved in the formation of this policy decision?

(a) What "goodness" standard was used by the policymakers?

(b) What constraints to the policy decision were perceived by the policymakers to be operative at the time the policy was made?

(c) What group or individual communications were received by the policymakers?

(d) What group or individual communications with the policy-makers influenced the decision made?

Prior to the 1975 legislative amendment to Section 160 of The Alberta School Act the Minister of Education discussed, on several occasions, the government's progress toward a policy decision with regard to private schools.

On May 11, 1972 in responding to a question posed in the Alberta Legislature by Mr. D. Gruenwald, Member for Lethbridge West, the Minister stated, "I think that there probably is a place for private schools in Alberta in future years." He also indicated that "A policy has to be established so there are no ad hoc local arrangements about private schools, but there is some long [term] policy so that private schools know where they stand" (Alberta Hansard, May 11, 1972, 98-99).

In an interview with Hon. L. Hyndman (January 15, 1979), he stated that he felt the private schools provided a measurement for comparison with the public system and as such were worth retaining.

Speaking at the 1973 AISCA Spring Convention, Hon. L. Hyndman outlined the philosophy of the government as respecting independent schools (Minutes, AISCA Spring Convention, April, 1973). He noted that although the government recognizes the independent schools as a sincere effort, there is a ". . . basic commitment in Alberta to the principle of public education and to general schooling under government supervision."

Speaking in the Alberta Legislature the Minister stated:

> It is the opinion of the Department and of myself that it is crucially important to maintain a public, non-sectarian school system because that democratic method which has only developed in the last 150 years is the only guarantee, in the long run, of equal opportunity, although equal opportunity is something which we may never attain. But we will strive for it (Alberta Hansard, April 16, 1973, 2273).

In a July 31, 1973 letter to a private citizen, Hon. L. Hyndman wrote:

> . . . we consider it our first responsibility to provide education at public expense to all children in the province regardless of color, race, or creed. . . . It is a moot question whether the government, having provided for them in a system of publicly supported education, to which they have free access, should also support these special arrangements for children of dissident groups (Letter, Hon. L. Hyndman to Mr. Kettner, July 31, 1973).

This position was reaffirmed in a second letter to the same individual some three months later (October 18, 1973) when he wrote:

> . . . the challenge to government in the last part of this century, as I perceive it, is to continue to legislate for the commonweal while preserving as much diversity as such a fair and equitable system can tolerate. The definition of these limits of tolerance is a delicate exercise in governance and the place of private education, private enterprise and individual rights within these limits is a matter which is of continuing concern to us all (Letter, Hon. L. Hyndman to Mr. Kettner, October 18, 1973).

In another letter the Minister reaffirmed the government's commitment to legislating for the commonweal, hence to the pareto optimum theory, when he stated:

> . . . support is based on what is the greatest good for the greatest number. If your government were to provide financial support for every individual who wished to establish a private school, then no economy of scale can be effected and the duplication of services may be financially impossible (Letter, Hon. L. Hyndman to Mr. Sahoonderbeek, September 30, 1974).

The government's prior commitment to ensuring that a public education system be maintained was affirmed in a March 21, 1974 article carried in the Lethbridge Herald in which the Minister was quoted as saying that ". . . it is most important that a quality universal free public system of education irrespective of background or resources of parents exists" (Lethbridge Herald, March 21, 1974, p. 16). He discussed the possibility of the voucher system and its suitability in Alberta, rejecting the idea on the basis that implementation of such a system would create a fragmenting of resources. In a personal interview with Hon. L. Hyndman (January 15, 1979) he noted that he was not able to accept the voucher system after reading of the experiences in the United States. In his view, salesmen charletans had been able to take advantage of a public whose knowledge about education was limited to that acquired when they attended school.

At the AISCA's 1973 Spring Convention, Hon. L. Hyndman assured the delegates that the government was extremely sensitive to the lack of tax relief for private school supporters. He discussed this concern more fully in a July 31, 1973 letter to a private citizen who was clearly a supporter of independent schools, and a personal friend of the Premier. He stated, in part, that:

> . . . Your government has been aware that supporters of private schools have been burdened with double taxation; that is, they pay their regular public school taxes and they also pay a fee for having their children educated in private schools. Aid to private schools has been based on the idea of relief from this double taxation (Letter, Hon. L. Hyndman to Mr. Kettner, July 31, 1973).

The government's position regarding "double taxation" was outlined more fully in a letter written by the Minister to a private citizen in December of 1974. He stated:

> The present position of your government, therefore, is to subsidize private education to the extent that it relieves the parent of the children in private schools from the burden of "double taxation," that is, parents paying a property tax in support of public education and also paying tuition fees to a private school. With the removal of the provincial tax on residential property this also has relieved parents to some extent from "double taxation." While the exact amount to provide this relief may need to be adjusted from time to time, it is not the intention of your government to increase its subsidy to private education by any substantial amount (Letter, Hon. L. Hyndman to Dr. N.A. Japolsky, December 16, 1974).

In a personal interview, Hon. L. Hyndman indicated that in 1968 he had been approached by supporters of the Talmud Torah school, given a tour and asked to do something to assist the school financially. He noted that a significant number of families in his constituency sent their children to this school. Talmud Torah is a Hebrew school in Edmonton which operated as a private school from 1912 until 1975 when it became an alternative school under the control of the Edmonton Public School Board. The school provides some instruction in Hebrew language and culture and the Jewish religion in addition to the regular academic program for students in grades one to six. In 1971 when Hon. L. Hyndman was appointed Minister of Education, he finally had an opportunity to act upon the Talmud Torah request. He noted that his reading and the arguments forwarded by the private school people had convinced him that the private

schools should be granted increased provincial funding.

A second point Hon. L. Hyndman made at the 1973 AISCA Convention was that he felt in future years the public educational system would become more flexible. He envisaged different public schools providing different emphases and programs.

In a January 28, 1974 letter to Mr. W.H. VandenBorn, the Minister articulated how such increased diversity within the public educational system might affect private schools. He stated in his letter that:

> There is also the possibility that our publicly supported educational system could be broadened to the extent that it could provide the diversity that is now obtained through private schools. It seems to me that as long as there can be guarantees that a school could maintain its philosophic point of view, its religious characteristics or its unique methods of instruction, some arrangements might be made to include private education under the umbrella of the School Act (Letter, Hon. L. Hyndman to Mr. W.H. VandenBorn, January 28, 1974).

A reply to a second letter contained further discussion on the same matter. Hon. L. Hyndman stated, in part, that:

> . . . your government is looking very seriously into the matter of diversification in publicly supported education in Alberta.
>
> Whether diversification can be accomplished without a serious fractionation of our school system is a moot point. There is also a level of government support of private education when the term private loses all meaning and instead the government has created a parallel system of publicly supported education (Letter, Hon. L. Hyndman to Mr. Wildeboer, February 21, 1974).

In a more recent personal interview, Hon. L. Hyndman enlarged on this idea. He stated that he wanted a system of education which had more parental input but he did not want to follow the United States lead in that the private schools tend to siphon off the top students leaving the public system to deal with the lower socio-economic students. The

answer, he felt, was to build more flexibility and choice into the present system. This could be accomplished, in part, through the adoption of the umbrella concept, which he noted was his idea. Under this plan, private schools could gain a type of associate membership in a public system. In order to do so, however, they would have to assure the public system that (1) they would be open to all students who chose to attend, and (2) they would follow a basic curriculum or work toward the achievement of particular goals, that is, particular skills or knowledge.

When he addressed the ATA convention in 1974, he spoke to the delegates about the desirability of increased parental input and increased diversity within the public educational system.

His commitment to diversity within the public system was evidenced by the elimination of high school boundaries and the establishment of the Early Childhood Services program. The ECS program provides for governmental support to private as well as to public operators. Such operators are given considerable latitude to operate providing they meet minimum government requirements.

The umbrella concept, he felt, provided for diversity yet in some respects reduced or eliminated the possibility of opposition from the ATA and the ASTA.

On at least three occasions since 1967, the topic of public funding of private education had been discussed at some length in the Legislature. A review of Alberta Hansard revealed that the first occasion was in November, 1972 when Mr. J. Ashton, Member for Edmonton Ottewell, moved a motion other than a government motion stating:

> Be it resolved that the government of Alberta consider methods of increasing their financial support to private schools in the province whose curricula include the requirements of the Department of Education (Alberta Hansard, November 2, 1973, 16).

While speaking to the motion, Mr. Ashton noted that this motion had been on the order paper for some seven months. In all, seven Members spoke to the motion, all of them in favor. Reasons given for this support included:

1. The existence of private schools result in a significant financial saving to the province.
2. These schools operate at a lower per pupil cost than separate or public schools. In other words, they are more efficient. Despite this efficiency private school supporters are overburdened by the high cost of supporting these schools.
3. A greater pluralism is required to meet the diverse needs of Albertan school children and support of private schools was deemed to be a step in this direction.
4. Private schools might help "turn the tide" in favour of parental interest in school.
5. It was felt that with the shifting population and the inevitable closing of schools, the creation of private schools would use existing centrally located urban facilities thereby reducing the pressure to build in the periphery of major urban communities.
6. Parental choice is meaningless when this choice involves such a large financial commitment. The current burden was simply deemed too great.
7. The existence of private schools provides children and parents with a choice in education.

8. Private schools provide the public tax supported systems with some competition.
9. Some schools such as St. Mary's Salesian in Edmonton are serving students who cannot be served by the public system.
10. The Human Rights Charter of the United Nations asserts the prior right of educating children rests with the parents.
11. More students would attend private schools were it not for the great financial sacrifice attached to such a decision.
12. The religious orientation of some of these schools is needed in our society, since they "nurture the development of personal values and social conscience" (Alberta Hansard, November 2, 1972, 17).
13. Private schools can encourage multiculturalism. "There is unity in diversity" (Alberta Hansard, November 2, 1972, 17).
14. Private schools provide a needed outlet for those dissatisfied with the public system.
15. Sometimes private schools serve as pacesetters for the public system. Private schools were thought to be, by necessity, more innovative.

Those Members who spoke to the motion also made suggestions as to what methods might be employed to increase governmental support of private schools. One was to simply act upon the AISCA recommendation to double the governmental grants to private schools.

A second suggestion was that the government study the voucher system. The voucher system might best be described as free enterprise education in that schools with various value orientations and modes of operation would be structured. Parents would be given a voucher for each

child of school age. This voucher could be used to purchase educational services at the school of the parent's/student's choice. The school would then submit the vouchers to the government for grant payment. For this reason, the voucher system is sometimes described in terms of "the grant following the student."

Of the seven speakers, one suggested that this concept should be studied, while two others supported the notion of "the grant following the student." Opposition Member Mr. R.C. Clark was one of those who supported this concept. He noted that in the previous two or three years the federal government gave serious consideration to the grant following students as far as post-secondary education is concerned. This information appeared to be presented as evidence that this relatively novel concept in school finance was indeed a credible alternative.

A third suggestion was that efforts should be made to effect an increase in cooperative arrangements between the public and private sectors. Existing private sector involvement in education in areas such as work experience, training in industry, training on the job and apprenticeships were cited as examples of the "happy marriage" which had been arranged between the public and private sectors. Another example cited was when Mount Royal College contracted out to private concerns the responsibility to teach various programs. This suggestion was not followed up on by other speakers.

A fourth suggestion was that:

> Where a private school is, in the opinion of the Department of Education, effectively reducing the cost on other schools . . . the same grant [should be paid] as the other schools or a proportional amount compared to the amount of the reduction of that load from the private or public school system (Alberta Hansard, November 2, 1972, 16).

A fifth suggestion was that private schools be given an opportunity to take advantage of any benefits which might accrue through the establishment of the Educational Opportunities Fund.

Another idea put forward was that the province should issue a donation receipt for income tax purposes to parents who pay tuition to private schools.

Although no Member spoke out against increased government support of private education, the following cautions or qualifiers were voiced during the discussion:

1. Indiscriminate splintering of educational institutions would not be in the public interest.
2. Parents who send their children to private schools should be prepared to pay something extra.
3. Capital grant support should not be considered.

Debate on this motion was adjourned without a vote.

The second occasion on which the issue of increasing government support of private schools was discussed was April 16, 1973. At that time the following concerns or positions were expressed by six different Members including the Minister of Education, Hon. L. Hyndman (Alberta Hansard, April 16, 1973, 2273).

1. What assurances are there that a particular standard of education is maintained in the province's private schools.
2. Do years of teacher training influence student learning? Perhaps the private schools could serve as a useful means of comparison.
3. The funding available to private schools should be increased. The amount of such an increase should be related to factors such

as whether or not the school follows the curriculum as outlined by the Department of Education, the qualifications of the teachers, whether or not the schools are inspected by the Department, whether or not the existence of the private school causes a nearby public or separate school to operate at less than capacity and whether or not the private school is meeting the needs of students who would not receive service in a public system.

4. If private schools attract students away from a public system, there must be implications for the public system.
5. Private schools should be invited to make use of the excess space available in some of the many underutilized public schools. This would provide competition to the public system and a useful means of comparison.
6. There is a need for legislation relative to private schools.
7. Private school supporters do not seek parity with the public system in terms of grants although they do seek an increase in the grant.
8. The grants to private schools should be linked in some way to the level of grants available to public schools. This would facilitate better planning in the private schools.

The Minister reacted to these concerns and suggested positions by affirming the need for some standards in private schools, that is, that they follow a basic curriculum and hire certificated teachers. He also inferred the desirability of parental choice and diversity within schools. He rejected the notion that funding to private schools be conditional with respect to whether or not there was room in public schools

for children attending private schools. He indicated that the public schools were underutilized to the extent that the private schools in the province could be absorbed into the public schools five or ten times over.

On December 6, 1973 the issue of funding private schools was again broached in the Legislature. When asked about what the percentage increase in private school grants would be for the coming year, the Minister noted:

> We have under review the method of financing and the dollar amounts which are going to independent schools in the province, with a view to having further information on that subject when the budget is forthcoming (Alberta Hansard, April 16, 1973, 4192).

The umbrella concept was the method of financing to which he referred.

Although words of caution were expressed by some Members during discussions in the Legislature regarding the funding of private schools, the thrust of the comments favored the existence, funding and increased funding of private schools. Members who spoke in favour of private schools included: Mr. J. Ashton (Edmonton Ottewell), Mr. J. Koziak (Edmonton Strathcona), Mr. D. Gruenwald (Lethbridge West), Mr. G. Stromberg (Camrose), Mr. C. Lee (Calgary McKnight), Mr. R.C. Clark (Olds/Didsbury), Mr. G. Taylor (Drumheller), and Mr. J. Cookson (Lacombe). No Members spoke against either the existence, funding or increased funding of private schools.

In the interview conducted with Hon. L. Hyndman, he stated that the AISCA had done a good job of lobbying and that MLA's including Mr. J. Cookson, Mr. B.W. Diachuk, Mr.L.G. Young, Hon. L. Amerongen and Hon. J. Koziak were approached by this group and in turn conveyed the AISCA's sentiments directly to him. As well, he indicated that he routinely

received input from MLA's at caucus committee meetings. As was indicated earlier in this study in relation to Question One, the ESCE and the AISCA had frequently contacted Members of the Legislative Assembly and had gained their support in relation to an increased level of funding for private schools.

Evidently Members of the Legislative Assembly either supported the continued existence and funding of private schools or else refrained from speaking out publicly in opposition. According to Mr. D. King, Member for Edmonton Highlands, only a limited number of caucus members (perhaps eight to ten) were interested in these issues and most of the discussions between those in favor of, and those opposed to, private schools took place informally outside of caucus meetings (Personal interview, Mr. D. King, January 26, 1979). These two factions held fundamentally different views. One group held that education should be provided in a relatively homogeneous way by the state to everyone. The other group, which was much more vocal publicly, maintained that greater strength ultimately lay in diversity in education. This fundamental disagreement he noted is an ongoing one which expresses itself in relation to issues of funding, certification, inspection and minimum standards in education.

Although more detailed evidence exists that those in favor of private schools communicated their positions to the Minister, the position of the other group was clearly affirmed a number of times by the Minister while outlining the government's position relative to the funding of private schools.

Mr. D. King maintained that the umbrella concept was a compromise between the positions taken by the two groups.

SUMMARY

Four major groups influenced or attempted to influence the policy decision; The Alberta Teachers' Association (ATA), the Alberta School Trustees' Association (ASTA), the Association of Independent Schools and Colleges (AISCA) and the Edmonton Society for Christian Education (ESCE). Two of these groups, the ATA and ASTA, opposed the expenditure of public funds for support of private schools which duplicate educational services offered by the public school system. These two groups communicated their positions through membership on advisory committees and through Departmental officials. The AISCA and ESCE sought substantially increased public financial aid for private schools and autonomy in the operation of such schools. These groups communicated their positions through membership on advisory committees, lobbying activities directed toward Members of the Legislative Assembly, and contacts with various Department of Education officials.

Although those opposed to the public funding of private schools possessed more potential influence, they did not exhibit as much manifest influence as did those who favored increased public financial aid to private schools. However, those who opposed such aid exhibited a relatively high level of implicit influence.

Prior to and during the formulation of the policy communications were received by the Minister from the four groups mentioned above, Department of Education officials, supporters of the Talmud Torah private school, and Members of the Legislative Assembly. Although the AISCA and the ESCE worked closely with Departmental officials in attempting to implement the umbrella concept they were most effective in channeling

their desires through Members of the Legislative Assembly to the Minister. These MLA's became vocal in their public support of private schools and either provided or were asked to provide input to the Minister with regard to the funding of private schools. Hon. L. Hyndman noted that the AISCA had done a good job of lobbying through their elected representatives. He indicated that these MLA's had responded by conveying the AISCA's position to the Minister at caucus committee meetings. He also noted that the AISCA gave "thoughtful" input. Its case had been presented well. Although he could not accept a revolutionary tack such as the AISCA's Bill 300, he was swayed by the Association's views and encouraged private school supporters to do more lobbying, to see their newspaper editors and MLA's.

Hon. L. Hyndman described the input received from the Department of Education officials as neutral. When the umbrella concept was first developed by the Minister it was referred to Department officials who were asked to present the pros and cons of the concept. The Department did so and in addition advised the Minister that the ATA and ASTA should be consulted in relation to this matter and that a legislative amendment was necessary in order to provide for this concept to be implemented. He noted that historically the Department had not paid much attention to private schools.

The ATA and ASTA were viewed by the Minister as being large organizations representing the vast majority of teachers and school authorities in the province. They were also perceived as being well-organized. Hon. L. Hyndman stated that he felt their views had to be considered. The ASTA, he noted, saw the umbrella concept as a possible means of fragmenting the present public system and/or diverting money

away from the public schools. The ATA reacted most adversely to the concept as they felt it would contribute to the demise of free public education. He indicated that the ATA and ASTA reacted to his moves. He had anticipated this and got the reaction planned.

Comments made by the Minister during discussions in the legislature, and in correspondence to private citizens, and in a personal interview provided evidence of the "goodness" standards which he used in forming policy on private schools and of the constraints which he perceived to be operative at this time in relation to the funding of private schools.

Goodness standards perceived by the Minister appeared to include the following:

1. Any policy should provide for the continued existence of private schools in the province.
2. The policy should provide increased financial support to private schools and eliminate the double taxation of supporters of private schools.
3. The degree of diversity and flexibility in education presently obtained through private schools should be maintained. This goodness standard was used when the Minister moved to eliminate high school boundaries.
4. The policy should ensure that private school operators meet specific minimal standards. This goodness standard was also used in the establishment of the ECS program according to Mr. Hyndman. The minimal standards envisioned for private schools apparently included a basic curriculum and certificated teachers.

5. The policy should be politically feasible, that is, it should reduce or eliminate the possibility of opposition from the ATA and ASTA and should address the concerns of the AISCA and individual private school supporters.
6. Private schools must be able to maintain their philosophy, character, and/or method of instruction.

The constraints perceived by the Minister at this time included the following:

1. Since the priority of the government was to ensure that a quality public school system existed, no legislation on private schools should serve to create a fractionation or to weaken the public system.
2. The policy should not allow exploitation of the public. It was for this reason that the voucher concept was rejected as a viable policy alternative by the Minister.
3. Duplication of services should be avoided.
4. The present inordinate amount of unused space in public schools should not be aggravated.

The policy decision was influenced by the input from competing interest groups, the value preferences of the Minister, the recommendations from other Members of the Legislative Assembly, and the Department of Education. It was a novel means of addressing the financial problems faced by private schools and the Minister's perceived need for increased diversity and parental input in the public system. The demands from competing groups and current issues such as declining enrolments placed constraints on the Minister and helped to shape the policy which was made.

In addition, the Minister valued highly the maintenance of a universal free public education system and did not want to place this system in jeopardy by adopting policies which would tend to create a fractionation of or weaken the public system.

CHAPTER 6

ANALYSIS OF DATA: THE POLICY IMPLEMENTATION PROCESS

One of the five major research questions addressed in this study focussed on the policy implementation process. This chapter contains an analysis of the data collected relative to this process.

What were the consequences, that is, the symbolic and tangible effects of the policy decision?

(a) What attempts were made to implement the policy and what were the results of those attempts?

(b) What discrepancies exist between the intent of the policy and its implementation or attempted implementation?

(c) What new attempts to influence the policymakers were made as a result of the policy decision?

IMPLEMENTATION CASES

The cases described below are chosen because they are representative of the consequences of the policy decision. They are not intended to be exhaustive. For example, since the consequences of the policy in Edmonton and Calgary were similar, namely, the adoption of board policy regarding alternative schools and the takeover of a number of private schools, none of the cases in Calgary are discussed.

Case 1: The Caraway Creative Learning Center and the Edmonton Public School Board

During the spring of 1975, a formal proposal to have the Caraway School brought under the jurisdiction of the Edmonton Public School Board was presented to the Board's administration by the parent group of the Caraway Creative Learning Center. A brochure contained in Edmonton Public School Board files describes the program as follows:

> Caraway is a program for children between the ages of five and eleven years. It has been modelled on the British Infant School which features family aged grouping, an integrated curriculum, discovery learning . . . a strong emphasis on the creative aspects of the curriculum . . . and a reading/language program shaped by individual needs, interests and abilities. The climate of the school program is one of informality, and respect for each individual's needs, ideas and differences.
>
> A primary objective of the Caraway Program is to develop creative approaches to learning which integrate the social-emotional, physical and intellectual needs of the child (Caraway Program, Garneau Elementary and Junior High School, undated brochure, Edmonton Public School Board files, 1).

The proposal also outlined the expectations this group would hold for the public board in the event that the Caraway program came under its control. The administration recommended to the public board that the proposal be accepted (Edmonton Journal, June 17, 1975, 72).

At the June 17, 1975 regular meeting of the Edmonton Public School Board a motion was moved by Trustee Mr. R.V. Johnson:

> That, effective June 20, 1975, the Caraway Center be brought under the jurisdiction of the Edmonton Public School Board for the 1975/76 and 1976/77 school terms (Edmonton Public School Board Minutes, June 17, 1975).

The Board was informed by the Assistant Superintendent of Schools that ". . . the parents were willing to trade their autonomy for financial and curricular advantages" (EPSB Minutes, June 17, 1975). After some

debate the motion was defeated on a tie vote. There appeared to be a feeling among those who opposed the motion that a policy in regard to accepting private schools into the public system and criteria for deciding the same had to be established before the Board could take such action. According to the April, 1976 Caraway Status Report, "the" reason the motion was defeated was because criteria for the addition of new programs had not been established by the Board.

During the summer of 1975 such criteria were developed by the administration of the public board and passed at the September 9, 1975 regular board meeting.

The issue of the Caraway Program coming under the jurisdiction of the Edmonton Public School Board was again raised at the September 9, 1975 regular meeting of the Board. A motion to that effect was passed making the move retroactive to July 1, 1975. In addition, the Board passed a motion that, "Evaluations of the program will be brought to the Board from time to time but in any event no later than April 1 of the second year of operation" (EPSB Policies Manual HGBH, Alternative School Programs).

The Caraway Status Report of April, 1976 indicated that, "The majority of the parents, and the teachers in the program were satisfied with the extent to which the objectives of the program for children were being met." In addition the parents favored the school coming under the jurisdiction of the Edmonton Public School Board for financial reasons but were concerned about the increased pupil-teacher ratio. At least five families indicated that being under the Edmonton Public School Board made the Caraway program more accessible, increased the "red tape" for

teachers and parents and increased the supply of materials and facilities. The change in status apparently did not undermine the basic philosophy of the school.

Case 2: Talmud Torah Society and the Edmonton Public School Board

On January 31, 1975 representatives from two Edmonton private schools including Talmud Torah, the Department of Education, and the Edmonton Public School Board met at the invitation of the Department of Education to discuss the possibilities of associate status through an umbrella agreement (Report of meeting, January 31, 1975).

The Superintendent of the Edmonton Public School Board, Mr. M.A. Strembitsky, noted that at this time the Board had information that the provincial government was willing to increase financial support to private schools. He wanted to know what program (school) might meet provincial approval but might not be acceptable to a locally elected school board. Therefore, he stated that he attended this meeting because he wanted a statement from the Department of Education which would outline a procedure whereby these schools could come under the jurisdiction of the public board (Interview, M.A. Strembitsky, March 2, 1979).

He indicated his reason for considering bringing private schools under EPSB control was as follows. He reasoned that if a program (school) was worthy of public funding and if the Department of Education approved that program, nothing should prevent the local board from accepting it. He stated that he felt there is a danger that a public system may become too narrow, offering one standard "bill of fare." If this happens, the only option available to parents or students who wish something else is

for them to opt for private schooling. He felt that as a city becomes more cosmopolitan, there is a need, within limits, for greater tolerance in regard to various philosophical stances which may be applied to schools.

Although he welcomed and attempted to build greater diversity within the public system, Mr. Strembitsky was very opposed to the notion of associate status, reasoning that it was analogous to contracting out other public services such as defence. He felt such arrangements might lead to problems in relation to providing facilities for and transportation to these schools if enrolments were not stable. These concerns, he indicated, were outlined to the Department of Education.

During the meeting, the Superintendent of the EPSB informed those present that any agreement between a private school authority and his Board would have to be such that the public board would assume ultimate authority over all aspects of the school's operation. There could be a local parent advisory group, however, this group would not be the governing authority. The issue of who would maintain ultimate authority, the public school board or the private school authority, eventually caused a split in the supporters of the Talmud Torah school. One faction was not willing to accept an arrangement whereby the society would function solely as an advisory group. The other faction eventually prevailed and as a result the memorandum of understanding contained in Appendix B was signed on October 10, 1975 by representatives of the EPSB and the Talmud Torah Society (Personal Interview, M.A. Strembitsky, March 2, 1979).

This agreement was arrived at only after considerable discussion including a September 23, 1975 meeting of the EPSB administration and

Executive Directors of the Talmud Torah Board, a September 28, 1975 meeting of the administration and the entire Talmud Torah Board, and a September 30, 1975 meeting of the administration and the total parent community of Talmud Torah (Memorandum, Mr. R. Smilanich to Mr. M.A. Strembitsky, October 3, 1975).

Since the staffing and organizational patterns in place at Talmud Torah for the 1975/76 year differed from other schools administered by the Board and since the proposed agreement was to be retroactive to September 1, 1975, a transitional year was necessary to make possible full application of the Board's "Criteria for the Addition of New Programs."

An examination of the memorandum of understanding signed by the EPSB and Talmud Torah reveals that although the Talmud Torah Board acts only as an advisory committee to the administration of the EPSB with respect to the staffing and operation of the EPSB program in the school, the Society has not had to make any major changes in the program in order to be accepted by the public system.

Case 3: Edmonton Society for Christian Education (ESCE) and the Edmonton Public School Board

Early in 1974 the Director of Special Educational Services, Dr. E.J.M. Church, approached the Edmonton Society for Christian Education to ". . . explore reactions to the concept of independent schools obtaining 'associate' or 'designated' status with a public board" (ESCE Position paper, Fall, 1974, 6). About this same time Dr. Church had prepared a discussion paper entitled "Diversification in Public Schooling with Special Reference to Private Schools" which outlined associate status as

one means of increasing diversification in the public schools. During the fall of 1974, Hon. G. Amerongen, Mr. B.W. Diachuk, and Mr. L.G. Young attended the annual meeting of the ESCE at the invitation of the Board. The MLA's indicated that they had been in contact with Department of Education officials and had been advised of the possibility of the ESCE entering into an umbrella agreement with the Edmonton Public School Board. They encouraged the ESCE to examine the possibilities more closely (Letter, ESCE Umbrella Committee to Hon. L. Hyndman, December 20, 1974).

As a result, representatives of the Society arranged a meeting with the Superintendent of the Edmonton Public School Board on November 28, 1974 to discuss legal and legislative concerns regarding a possible umbrella agreement between the two parties (Report of meeting, November 28, 1974). A second meeting was arranged by Department of Education officials at the request of the ESCE on January 31, 1975 to explore the possibilities of associate status through an umbrella agreement between a public system and a private school authority. In addition to the representatives from the Department, the Edmonton Society for Christian Education and the Edmonton Public School Board, the Department invited representatives from the Talmud Torah private school in Edmonton.

During this meeting the Superintendent of EPSB made it clear that associate status with the EPSB would mean surrendering ultimate control to the Board. Following this meeting, the ESCE contacted the Minister and informed him of the actions taken by the Society on the advice of the MLA's and requested a meeting with him in order that the Society could "better understand the prevailing circumstances and the possibilities that might exist," and to learn what the Minister's views

and concerns were in relation to both the umbrella concept and the existing grant structure (Letter, Secretary ESCE to Hon. L. Hyndman, December 20, 1974). This was followed by a second letter some two months later requesting increased funds.

Though the ESCE was opposed to the EPSB's interpretation of associate status, they continued to pursue the matter by preparing a position paper entitled "Diversification in Education--The Edmonton Christian Schools as Associate Schools of the Edmonton Public School Board" to present to the EPSB. Prior to presenting this paper it was sent for consideration to the ESCE Board, the Department of Education (March 26, 1975) and the administration of the EPSB (May 12, 1975).

The position paper outlined one possible means by which the ESCE schools could become associate schools within the Edmonton Public School system. The specifics of the proposed arrangement were rationalized in light of the Worth Commission Report on Educational Planning, Dr. E.J.M. Church's February 1, 1974 discussion paper on diversification, and the EPSB's report entitled "Alternatives in Education." Under the proposed arrangement, the ESCE would maintain ultimate authority in regard to enrolment, staffing, curriculum and internal financing (Position paper, February 1, 1974).

The Deputy Minister was kept informed of the Society's plans and the continued assistance of the Department and the counsel of the Deputy Minister was requested (Letter, ESCE Umbrella Committee to Dr. E.K. Hawkesworth, March 13, 1975). The Department continued to lend this type of support particularly in regard to assisting the ESCE's umbrella committee in their presentation to the EPSB (Memorandum, Dr. E.J.M. Church to Dr. E.K. Hawkesworth, March 26, 1975).

Correspondence indicated that the ESCE realized agreements were not possible under existing legislation and felt that the Department was not aware of this fact or had chosen to withhold this fact from the ESCE.

The ESCE position paper was accompanied by a request that the EPSB adopt two resolutions:

1. That the EPSB favors the establishment of a working relationship with the ESCE; and
2. That the EPSB enter into negotiations with the ESCE in order to develop a mutually acceptable contract (Letter, Mr. J. VandenBorn to Trustees of EPSB, May 13, 1975).

The EPSB indicated it was willing to enter into negotiations provided the following four conditions were acceptable to the ESCE:

1. All policies of the EPSB must be applicable to the Edmonton Christian schools;
2. The teaching staff and administration of the schools must meet professional qualifications acceptable to the EPSB;
3. The curriculum offered in the schools must be acceptable to the EPSB;
4. The EPSB must retain authority to establish student eligibility criteria (Letter, EPSB to ESCE, June 12, 1975).

At the September 9, 1975 regular meeting of the EPSB criteria for the addition of new programs were adopted. The criteria were prefaced by the statement:

> The Board must retain authority over all programs for which it assumes responsibility. The Board, in order to facilitate the broadening of the range of program offerings and increase provision for parental/student choice of learning experiences, establishes the following criteria for the introduction of programs in the Edmonton Public Schools.

About this time officials of the Department of Education informed the ESCE that under existing legislation, umbrella contracts were legally impossible.

On November 6, 1975 the ESCE informed the EPSB that they were suspending negotiations relative to an umbrella agreement. The reasons given for this decision were:

1. The Department of Education officials had informed the ESCE that umbrella agreements were not possible under the existing School Act; and
2. The Criteria outlined by the EPSB were difficult to accept.

The ESCE also contacted the Minister to advise him of the suspension of negotiations with the EPSB and to request changes in the regulations to increase funding to private schools. The Society also requested an informal meeting with the Minister to discuss private schools generally and the ESCE's position in particular. The Minister denied the ESCE a hearing but suggested the Society contact him again at a later date.

The Society had at this point made a decision to urge the government to change the funding regulations and to increase grants to the independent schools rather than urging the government to make the necessary legislative changes to permit umbrella agreements to be made (Newsletter, Board of ESCE, November 9, 1975).

Communications continued with MLA's and apparently the ESCE had gained the support of at least some of the Edmonton Members of the Legislative Assembly. A March 31, 1976 letter from Hon. G. Amerongen to the Secretary of the ESCE stated, in part, that:

> I would hope that eventually we would be completely fair about school revenue and ensure that the dollar would follow the child on a completely equitable basis while respecting the parents' rights to choose the appropriate education for their children . . . .

In October of 1976 another letter was sent to the Minister advising

him that the EPSB did not wish to enter into contractual arrangements with schools such as the Edmonton Christian Schools, and, therefore, the model umbrella contract developed by the Department of Education was not useful at this time. They also submitted to the Minister a position paper entitled "A Brief Regarding the Place of Independent Schools in Alberta's Educational Structure." The main recommendation outlined in the brief was that the government raise support from 40 percent to 80 percent of the per pupil SFPF grant to public and separate schools. The suggestion was made that if budgetary restrictions made such an increase impossible to effect in one year that, ". . . the government should declare this to be its target figure which it hopes to reach over a two or three-year period on a step by step basis" (Letter, ESCE Board to Hon. J. Koziak, November 17, 1976).

This proposal apparently was accepted. In responding to an opposition member's question in the House approximately nineteen months later, the Minister of Education, Hon. J. Koziak, replied:

> The Honorable member poses the question: what are the ultimate goals in terms of funding of private schools? The figure this year is 55 percent; last year it was 50 percent; the year before 33-1/3 percent. That would indicate a particular plan. I would see, Mr. Chairman, that over time we would see private schools in the category one group funded at perhaps 80 percent of the School Foundation Program Fund . . . (Alberta Hansard, April 26, 1978, 845).

In August of 1977 the Department of Education informed all public and private school authorities that Section 1(g) of the SFPF Regulations Schedule had been amended (Letter, Dr. J.S. Hrabi to all public and private school authorities, August 9, 1977). This amendment extended the definition of a pupil for the purposes of collecting SPFP grants to include a person attending a private school which has in effect an agreement with a public

system in respect of that person under Section 160 of The Alberta School Act.

In light of this amendment, the ESCE again approached the EPSB in regard to the possibility of reopening negotiations aimed at effecting an umbrella agreement. The key question posed was whether the EPSB was prepared to make modifications in their criteria respecting the addition of new programs (Letter, ESCE to Mr. M.A. Strembitsky, September 27, 1977). The Superintendent responded that the criteria remained unchanged, however, he indicated that further discussions were welcomed. He reiterated his belief that the Board is ultimately responsible for all programs for which it receives funds, therefore, must maintain ultimate authority over them (Letter, Mr. M.A. Strembitsky to ESCE, October 14, 1977).

On November 4, 1977 the ESCE again approached the Minister reminding him of their position paper and their request of the previous year for funding increases to private schools to a level of 80 percent of the per pupil SFPF grant for public and separate school pupils. The Society was advised that the grants had been increased from 40 percent to 50 percent the previous year and that the ESCE submission would be reviewed again during the current year. As a result of this review, the grant was again increased, this time from 50 percent to 55 percent.

In the following month the Society arranged a meeting with Hon. J. Koziak, Hon. G. Amerongen, Hon. E.A. Hohol, Mr. B.W. Diachuk, Mr. D. King, and Mr. L.G. Young. The letter of invitation to these MLA's noted that a similar meeting held in 1974 was found to be rewarding. The purpose of the meeting appeared to be to inform the Members about the plans of the Society and to seek advice and direction from them. The

stated reason for inviting these particular individuals was that with the exception of Hon. J. Koziak, it was within the constituencies of these MLA's that most of the ESCE supporters reside. Hon. J. Koziak was invited in his capacity of Education Minister.

The letter stated that:

> We would like you to gain, first-hand, some understanding of our ideas and plans and we would like to hear any advice or comments you might have to offer respecting our educational endeavours. As well, we would be pleased to gain a richer level of personal acquaintance with all of you (Letter, ESCE Board to Hon. J. Koziak, Hon. G. Amerongen, Hon. E.A. Hohol, Mr. B.W. Diachuk, Mr. D. King, and Mr. L.G. Young, December 1, 1977).

A letter was sent in December of 1977 to the Minister requesting that he structure a committee of five consisting of two representatives from the AISCA, one from the ASTA, one from the ACSTA and one from the Department of Education. This committee's mandate would include determining laws and regulations related to the umbrella concept, providing a statement on where ultimate authority would lie in relation to such matters as staffing, curriculum, student enrollment and budgeting considerations, and devising mechanisms for resolving conflicts relative to these matters. As well, this committee would advise, (1) the Minister of any needed legislative and/or regulatory changes, (2) the Department regarding the implementation of these changes, and (3) any Boards contemplating entering into umbrella agreements (Letter, ESCE Board to Hon. J. Koziak, December 28, 1977).

The Minister responded that he did not feel such a committee would serve a useful purpose. He also noted that he, and his predecessor, Hon. L. Hyndman, wished to allow for a great deal of flexibility in the arrangements agreed upon (Letter, Hon. J. Koziak to ESCE, February 1, 1978).

At this point the ESCE was faced with the following circumstances (1) the EPSB would not enter into an agreement with the ESCE unless the public board maintained ultimate authority with respect to the four areas of staffing, curriculum, student enrolment and internal finance, and (2) there appeared to be no recourse through the Department or the Minister in forcing or encouraging alternative arrangements with the public board. Although the issue of an agreement with the EPSB was not entirely closed, the ESCE approached the Edmonton Separate School Board in June of 1978 about the possibility of entering into an umbrella-type agreement. Negotiations with the EPSB have remained suspended as the question of where ultimate authority would reside remains in a stalemate.

Case 4: Lethbridge Catholic Separate School District No. 9 and Immanuel Christian School Board

On February 20, 1975 the principal of the Lethbridge Immanuel Christian School wrote a letter to the Lethbridge Catholic Separate School Board Secretary-Treasurer outlining the umbrella concept and requesting an opportunity to meet with the Separate School Board to discuss the possibility of the two parties forging an umbrella agreement. Permission was granted and on March 12, 1975 Immanuel Christian School representatives presented to the Separate School Board "A Discussion Paper Exploring Possible Associate Status of Immanuel Christian School with the Lethbridge Catholic Separate School District No. 9." According to the proposed plan the independent school would retain authority over such key areas as staff, curriculum, student enrolment and internal finances. The Separate School Board would ". . . collect the foundation grant on behalf of the independent school and pass it on to the independent

school board." Supplementary requisition grants collected on behalf of Immanuel School would be retained by the Separate Board.

On April 21, 1975 representatives from the two constituencies met with the Director of Special Educational Services, Dr. E.J.M. Church. There was some question in the minds of the independent school representatives regarding the possibility of an agreement with a Catholic board being approved. The principal asked Dr. Church if the Department preferred Immanuel working with a non-Catholic board. Dr. Church responded that such was not the case. He noted that if an agreement between the Private School and the Catholic Board were finalized, only a change in the regulations would be required to allow the appropriate transfer of funds. Dr. Church also informed the Superintendent of the Separate School Board that he and other officials of the Department had some interest in seeing attempts to develop the concept of associate status and that he had referred the matter to the Attorney General's Department for an opinion as to the legality of the proposed agreement under Section 92 of The Alberta School Act (Report to LCSSB by Ralph Himsl, April 24, 1975). The Board was encouraged to arrange a meeting with Dr. E.J.M. Church and an Associate Deputy Minister, Dr. J.S. Hrabi, if they were interested in pursuing the matter further.

Another meeting was held with representatives of Immanuel Christian School, the Separate Board and Dr. Church on May 2, 1975 (Notes of meeting, May 2, 1975). At this meeting Dr. Church reviewed his insights into the umbrella concept for private schools. He noted that the concept was initiated by the Minister along the lines of Early Childhood Services and that agreements would have to be at local initiative. Perhaps the most

important point he raised was that there would be a certain quid pro quo. The private school would exercise certain controls, for example in regard to matters such as: teacher selection and dismissal, quality of education, collective agreements including conditions of employment, transfers of staff, and exercising approval for deviation of courses. The public (public or separate) board would act as an agent for the Department; however, the agreement, he noted, should disclose mutual benefits.

As was the case with other attempts to implement the umbrella concept there appeared to be a problem determining what advantages might exist for a public board which entered into an "umbrella" agreement. Two possible benefits cited at this meeting were that such an agreement might increase Board prestige by highlighting its leadership in this area. A second potential benefit cited was that a greater degree of influence could be exerted on the development of the private schools involved. Notes taken at this meeting by the Superintendent of the Catholic Board contained the comments, ". . . cannot see any advantage to our taking over or associating with them" and "how do we answer the question--'Why do we associate?'"(Notes of meeting, May 2, 1975). The only answer he could give was that the Minister invited development of the concept.

Against these rather tentative benefits the Board would have to reckon with increased bookwork and an increased administrative work load.

A review of the proposed agreement between the two bodies highlighted the lack of benefits which were to accrue to the Separate Board The sole stated purpose of the agreement was to, ". . . obtain funds under the 'School Foundation Program' and the 'School Grants Regulations' as

amended from time to time, on behalf of the Party of the Second Part [The Immanuel Christian School Board]" (Proposed Agreement, LCSSD files).

Personal notes written by the superintendent of the Catholic Board on June 9, 1975 (perhaps in preparation for a meeting with the Immanuel School representatives some four days later) indicated that the question of benefits to the Separate Board was still being examined. Suggested justification for entering into an agreement included profit, needs (unexplained), ability to do it and eleemosynary. Three other possible bases for justification were also listed but dismissed. These included political pressure of which there was none, legal compulsion which did not exist and responsibility because of tax support. The third possibility was dismissed on the grounds that parents who sent their children to Immanuel were non-residents of the Separate School District.

These sentiments were conveyed to the Immanuel Christian School representatives at a meeting held June 13, 1975. The Separate School superintendent noted that before a preamble to the agreement could be written, the question of why would the Separate Board be a party to such an agreement had to be answered.

The following month (July 5, 1975) he met with representatives of the Immanuel Christian School and agreed to present a draft "umbrella" agreement to the Board. Justification given in the draft agreement (see Appendix C) for the Lethbridge Catholic Separate School District entering into the agreement included:

> . . . both parties desire denominational Christian Education within their curriculum.

. . . . . .

> . . . the Minister of Education has asked the "Private Schools" to consider the system of an "associated status" with an existing Public or Separate School Board, in order to obtain increased School Foundation Program Funding via the Public or Separate Boards.
>
> . . . . . .
>
> . . . the Catholic Separate Board can identify with "Christian Education" . . . .

A final draft agreement was completed September 10, 1975 (Minutes, LCSSB meeting, September 10, 1975). On September 24, 1975 the Immanuel Christian School representatives were informed that the Board had approved the proposed umbrella agreement.

This agreement was forwarded to the Minister on October 3, 1975. On November 26, 1975 a meeting was held with representatives from the Separate Board, Immanuel Christian School and Dr. E.J.M. Church and Dr. J.S. Hrabi from the Department of Education. By this time the Department of Education had received word from the Attorney General's Department that the proposed umbrella agreements were legally impossible and had conveyed this information to those private schools who were involved in umbrella contract discussions. Dr. Hrabi discussed Bill 43 amending Section 160 of The Alberta School Act and noted that passage of this Bill would make possible umbrella-type agreements. However, in regard to the proposed agreement in Lethbridge, Dr. Hrabi had some concerns. First he noted that under any agreement the parties involved would have to work within the SFPF grants regulations. Since the Immanuel supporters would be classed as protestant (public) school supporters under the proposed agreement the Separate Board would be claiming for students who were not their residents. Therefore, he recommended that the Immanuel Christian

School pursue the matter of associate status with the Public Board. He also questioned the intent of the Separate Board in view of the reasons for separate school districts.

On December 15, 1975 Bill 43 received third and final reading thereby making umbrella agreements legally possible.

Early in 1976 the principal of Immanuel Christian School requested the Minister to react to the proposed agreement forwarded some three months previously (Letter, Mr. H. Konnynenbelt to Dr. J.S. Hrabi, January 8, 1970).

On February 18, 1976 Dr. Hrabi responded that the Attorney General's Department had examined the proposed agreement and after discussion with the Minister it was decided that the agreement could not be approved. This decision was based on the fact that few, if any, students attending the Immanuel Christian School were residents of the LCSSB District.

Case 5: County of Lethbridge No. 26
and Immanuel Christian School Board

When efforts to enter into an acceptable umbrella agreement with the LSCCB ended in a rejection from the Minister's designate, several informal meetings were held between representatives of the Immanuel Christian School and the Lethbridge Public School Board (LPSB). After these initial meetings the representatives from the Immanuel Christian School decided to pursue the issue of associate status with the County of Lethbridge No. 26. Therefore, a delegation from Immanuel Christian School was received at the County of Lethbridge Board meeting on September 14, 1977 and the matter of a proposed umbrella agreement was discussed at considerable length (Interview, J. Phelps, March 6, 1979).

The County was advised by the ASTA solicitor not to deal with the matter of associate status until after the annual ASTA convention as the matter was to receive considerable attention at that time (County of Lethbridge Board Minutes, October 12, 1977). At the November 23, 1977 regular meeting of the Board of Education of the County of Lethbridge a decision was made to table the matter of an agreement with Immanuel Christian School until the County's brief was presented to the Minister. The matter was again discussed at the February 14, 1978 meeting and a decision was made to invite representatives of Immanuel Christian School to the next Board meeting. Prior to this meeting however, the Board met with the ASTA solicitor, Mrs. J. Anderson, to discuss the issue. Mrs. Anderson noted that approaches to agreements with private schools could vary from an "arm's length" approach to a "take-over" approach. She suggested that a middle-ground approach would be similar to the Hutterite school situation (County of Lethbridge Board Minutes, March 3, 1978).

The Board indicated that the sole purpose of the proposed agreement was to increase the financing available to the private school. They then outlined the following concerns which they had about the proposed agreement:

1. Entering into an agreement would indicate that the County condoned these schools.
2. Increased funding of private schools may result in a decrease in the enrolment of County schools as students move from the County to the various private schools.
3. Signing one such "umbrella" agreement may force the Board to make other such agreements.

Mrs. Anderson indicated that an agreement which delegated all responsibilities to the private school authority would be contrary to the intent of Section 160 which was joint operation of the schools. She felt that under any agreement, the County Board would maintain primary responsibility for the pupils involved.

The Board indicated to Mrs. Anderson that the Minister had given them the impression that any agreement made solely for the purpose of transferring funds would not be approved. Two possible courses of action appeared to be available to the Board. The first was to sign an agreement such as the model agreement (Appendix D) prepared by the Department in which all the blanks were filled with the name of the private school. In other words, the agreement would be only a vehicle for transferring funds. The second possible course of action was to refuse to sign any agreement.

A motion was passed, "That Mrs. Anderson prepare a letter on behalf of the County of Lethbridge No. 26 School Board outlining the concern of private schools and ask for the Minister's recommendation in writing" (County of Lethbridge Board Minutes, March 3, 1978).

Two weeks later, following her meeting with the Minister, the ASTA solicitor advised the County Board that any umbrella agreement would be approved by the Minister and the Department if all the blanks were filled with the name of the private school providing clause seven were included. Clause seven read:

> 7. The private school agrees to permit access at any reasonable time to the school facilities by employees of the Board to enable such employees to inspect and observe any aspect of the instructional program, provided such employees give twenty-four hours notice prior to their inspection (Letter, Mrs. J. Anderson to Mr. Burge, March 17, 1978).

The ASTA solicitor advised the County Board against entering into such an agreement since Board control would be limited to that provided under clause seven and the only means of enforcing any control would be by terminating the agreement. She suggested an alternative would be to "take-over" the private school (Letter, Mrs. J. Anderson to Mr. Burge, March 17, 1978).

After discussing the letter and receiving a delegation from the Immanuel Christian School, the Board passed the following two motions:

> That the Board of Education of the County of Lethbridge No. 26 do not sign a Tuition Agreement with the Immanuel Christian School at this time, but that the Board continue to press the Minister of Education to have funding for Private Schools come directly from Alberta Education (County of Lethbridge Board Minutes, April 11, 1978).

> That a resolution on the matter of Tuition Agreements with Private Schools be drafted and that it be processed through the proper channels in order that it be presented at the Annual ASTA convention (County of Lethbridge Board Minutes, April 11, 1978).

A newspaper article written the following day noted that the Board had voted 5-4 to reject the proposed umbrella agreement because ". . . it allowed the Minister to 'shirk his duty' and pass the responsibility of funding private schools to local public school boards" (Lethbridge Herald, April 12, 1978, E1).

A delegation representing Immanuel Christian School again appeared at the May 9, 1978 meeting of the Board to present a brief and a petition supporting the brief. The thrust of this brief was to appeal the previous Board decision not to enter into an umbrella agreement with Immanuel Christian School. After receiving the delegation, the Board decided to send the petition and brief to the Minister of Education and restate the Board's opinion that ". . . funds should be forwarded directly

from the Provincial Government to the private school systems, if this is the intent of the Provincial Government . . ." (County of Lethbridge Board Minutes, May 9, 1978).

Case 6: Camrose Lutheran College and County of Camrose No. 22

In September of 1977 a member of the Board of Education of the County of Camrose No. 22 contacted the County Superintendent and the principal of the high school section of Camrose Lutheran College about a possible umbrella agreement between the County and the private school. The board member in question was interested in such an agreement as his son was attending the private school and he had to pay approximately $600 in tuition fees (Personal interview, Mr. E. Hohn, March 8, 1979).

During the earlier discussions the proposed umbrella agreement was referred to as a tuition agreement. Clearly the implications of Bill 43 had not been communicated clearly by the Department of Education to Alberta public school boards.

The matter of the County of Camrose entering into an agreement with Camrose Lutheran College was formally discussed at the October 28, 1977 regular meeting of the Board of Education. The Board was informed that eight County students were attending Camrose Lutheran College and that an umbrella-type agreement was permissible as a result of the recent amendment to Section 160(a) of The Alberta School Act. The Board was interested in the possibility of an agreement for financial reasons. There appeared to be a feeling that the Board could and, therefore, should take advantage of the opportunity to collect at least a portion of the SFPF grant for those students attending the College. The Board directed the

Superintendent to investigate the possibility of an umbrella-type agreement with Camrose Lutheran College (CLC) and as a result the Superintendent took the initiative in attempting to work out an agreement with the College which was acceptable to the Department of Education (Personal interview, Mr. E. Hohn, March 3, 1979). The perception that the impetus for an agreement came from the public system was shared by the principal of Camrose Lutheran College who indicated he was interested in the agreement but was not optimistic since some of the eight students came from areas in which small high schools were located. That these students chose to attend the College may have been viewed as endangering the continued existence of the small high schools (Interview, M. Lauber, March 5, 1979).

At the November 25, 1977 meeting of the County Board, the Superintendent reported that the agreement with Camrose Lutheran College had been drafted. Of the $1,220 per pupil SFPF grant available, the College would receive $1,037 per pupil, while the County would receive $183 per pupil. Each student involved would benefit by way of a $250 rebate by CLC on tuition fees levied. Such an agreement was ratified by the Board.

On December 19, 1977 the Field Administrative Officer advised the County Superintendent that following minor revisions, the proposed agreement would be recommended for Ministerial approval (Letter, Mrs. A. Peddicord to Mr. E. Hohn, December 19, 1977). By January 6, 1978 the suggested changes had been made by the County Superintendent and had been approved by Camrose Lutheran College.

On January 20, 1978 the County Superintendent was informed by the Associate Director of Field Services that the only way an agreement would meet the requirements of Section 1(g) of the SFPF regulations so that

the County could claim grants for its students who attended Camrose Lutheran College was if such an agreement addressed itself to all aspects of educational services. He noted that the objective of the umbrella concept was,

> . . . to allow private schools the option to become more closely associated with the public school system of the province, thereby improving educational opportunities for several thousand Alberta students (Letter, Mr. W.T. Worbetts to Mr. E. Hohn, January 20, 1978).

The proposed agreement was returned for further review since there was no reference as to what educational responsibilities the County would assume relative to the operation of the College.

More revisions were made by the County Superintendent and subsequently approved by CLC. Following consultation with the Associate Director of Field Services and the local Field Administrative Officer a revised agreement was forwarded to the Associate Director of Field Services for approval on February 17, 1978.

On February 24, 1978 the Associate Director of Field Services advised the County Superintendent that the proposed agreement met the requirements of Section 160 of The Alberta School Act.

On April 4, 1978 the first umbrella agreement between a public school authority and the operator of a private school for the provision of educational services received Ministerial approval. The agreement, which was retroactive to September 2, 1977 is contained in Appendix E.

After operating for approximately one year under this agreement the principal of the College felt the agreement had "worked out fine." He noted that both the College and the County received more money from the Department of Education. The students involved benefitted through a

reduction in tuition fees. In addition, CLC had worked together with the County in order to obtain the funds. This, he felt, helped the two parties better relate to one another.

Under the agreement, CLC received from the Department of Education, $1,071 per student rather than $630 while the County received $189 per student.

On November 24, 1978 a second umbrella agreement was signed by the County of Camrose No. 26 and Camrose Lutheran College for the 1978-79 academic year. This agreement is contained in Appendix F.

CONCLUSIONS

As a result of the policy decision to provide for public-private school agreements for the provision of educational services, numerous discussions were undertaken between private and public school authorities. Basically, these discussions ended in one of three ways. In one case an agreement was reached, a contract was signed by both parties and the contract was ultimately approved by the Minister of Education. Although the public system, the County of Camrose, retained the option to inspect the private school, Camrose Lutheran College, on twenty-four hours notice the ultimate authority with respect to all aspects of the educational program remained with the College.

In other cases, extended discussions took place but no agreement was approved by the Minister. In one instance, an agreement was reached between the Lethbridge Catholic Separate School Board District No. 9 and the Immanuel Christian School Board, but was not approved by the Department of Education. In other cases, a stalemate developed in relation to

where ultimate authority would lie with respect to such key aspects of the educational program as curriculum, teaching staff, enrolment of students, and internal financing. The public board maintained that it must retain authority over all programs for which it was responsible while the private school authority maintained that sacrificing such control would jeopardize the unique nature of the program. Although there appeared to be an understanding that changes in the program offered would be minimal, the private school could not accept the conditions. They feared eventualities which might obtain if new administrators and/or trustees were administering the public school district.

In the third case private schools agreed to sacrifice ultimate authority to the Edmonton or Calgary public school districts in return for financial gains. These schools therefore became alternative schools offered under the aegis of the public system and ceased to operate as private schools as defined by the Department of Education. Although technically ultimate authority was sacrificed, little change is apparent in the operation of these schools. An indirect tangible consequence of the umbrella concept, therefore, was that it facilitated increased diversity in the two largest public school systems in the province through their take-over of a number of private schools. Formal provision for these take-overs was made through the adoption of policies and procedures for the acceptance of alternative programs in these two public school jurisdictions.

CHAPTER 7

DISCUSSION

Models of the policymaking process have been developed in order to guide analysts in their examinations of public policy. As noted in Chapter Two, each model provides a particular focus and can help us understand different aspects of public policy. In this study, an attempt was made to select elements from models and to develop a combined model to guide the analysis of the policy. This eclectic approach was taken so that information relative to a greater number of variables could be focused upon thereby facilitating a more complete analysis.

The purpose of this chapter is to provide a discussion of those elements in relation to the findings of this study. Although each model provides a somewhat different focus, elements selected from each of the models highlighted the general relationship between the policymaking and policy implementation processes. Therefore, this relationship is examined in the first section of this chapter. Then selected elements of the various models are examined individually.

POLICYMAKING AND POLICY IMPLEMENTATION

The data collected during this study reinforced the notion that a greater understanding of public policymaking can be gained if the policy formation and policy implementation phases are not studied in isolation from one another. A relatively strong relationship between the policy-making and policy implementation phases was indicated. As noted previously,

in this study the policy implementation phase began before the completion of the policymaking phase. As a result the objectives of the policy were not clarified until implementation was attempted.

In some aspects, there appeared to be minimal concern during the policymaking phase for predictable problems of implementation. Furthermore, there appeared to be minimal concern for addressing those barriers to implementation which were identified until circumstances forced action in this direction. For example, in February of 1974 legislative and regulatory amendments were anticipated by the Director of Special Educational Services as a prerequisite to implementation of the umbrella concept. This was communicated to the Department and the Minister in a formal position paper. Despite this, in the fall of 1974 Members of the Legislative Assembly, on the advice of the Department, recommended that implementation of the umbrella concept be attempted by the Edmonton Society for Christian Education. Not until December of 1975 was The Alberta School Act amended and not until August of 1977 were the Regulations amended to make such implementation, including the transfer of funds, legally possible. Therefore, although the Department and the Minister were aware of the statutory barriers which precluded implementation of the policy, removal of these barriers did not take place for three and one-half years after being identified.

At least three other issues which arose during the implementation phase logically might have been anticipated and addressed during the policymaking phase. The first issue was concerned with where ultimate authority would lie, with the public school board or the private school authority. Over one and one-half years after the legislative amendment

was made the Department could not advise the Association of Independent Schools and Colleges of Alberta concerning what an acceptable umbrella agreement would contain relative to this issue. Eventually an agreement was approved under which the private school continued its normal operation subject only to a clause which provided that:

> The Private School agrees to permit access at any reasonable time to the school facilities by employees of the Board to enable such employees to inspect and observe any aspect of the instructional program, provided such employees give twenty-four hours notice prior to their inspection (Appendix E, Clause 8).

However, not until over three years after the Edmonton Society for Christian Education was advised to attempt to implement the policy was the attending issue of control clarified.

A second issue involved the question of residency. On April 21, 1975 the Immanuel Christian School principal anticipated the issue and asked the Director of Special Educational Services if the Department preferred Immanuel working with a non-Catholic board. Dr. E.J.M. Church responded that this was not so, that only a change in the regulations was required. However, following the December 15, 1975 amendment of The Alberta School Act, the proposed agreement between the LCSSB and the Immanuel Christian School was rejected by the Minister based on the fact that few, if any, students attending Immanuel Christian School were residents of the Separate School District.

A third issue which might have been anticipated by the policymakers involved a concern expressed during the implementation phase by the public (including Catholic) boards, namely, why would a public board wish to enter into an umbrella agreement? Public boards worked at implementing the concept primarily because they thought the government wanted them to.

The two concerns which appeared to prompt the Minister to develop the umbrella concept were clearly not parallel notions. One involved giving the private schools more money while the other involved getting the public schools to become more flexible. Interestingly, no one interviewed during this study other than Hon. L. Hyndman noted the latter as an intent of the umbrella concept. The analysis of case four, Lethbridge Catholic Separate School Board District No. 9 and Immanuel Christian School Board in the preceding chapter, highlights the difficulty the Public Board had in attempting to justify or rationalize their involvement in an umbrella agreement.

The three issues noted above were not addressed during the policy-making phase and eventually contributed to problems encountered during the implementation phase.

THE GROUP MODEL

The group model is based on the assumption that public policy is a result of the policymakers managing conflicts between and among competing groups. The processes involved include bargaining, compromising and negotiating. There appeared to be a period during the early 1970's when the policymakers attempted to operate by this model as evidenced by the creation of the Ad Hoc Committee to Examine the Status of Private Schools in Alberta and the Advisory Committee on Private Schools and Colleges. Positions of the various groups were solicited in an effort to begin to resolve the differences in an equitable manner so that politically feasible recommendations could be made to the Minister.

When both of these attempts to find common ground failed, the

Minister appeared to abandon this procedure. There appeared to be a stalemate. "Rules of the game" had been established, however, no compromise or balancing of interests could be effected. Therefore, no policy could be formulated and subsequently enforced. One result of these attempts was that the positions of the key actors, the ATA, ASTA and AISCA were clearly known to the policymakers. Therefore, perhaps the only course of action left for the policymakers was to formulate what would "appear" to be an equitable compromise or a politically feasible solution. A new creative solution would have to be provided.

As a result, the groups directly involved in the implementation of the policy had no opportunity to revise, reshape or develop the basic concept. Perhaps given the basic idea of the umbrella concept and the rationalization that the Minister sought increased diversity within the public system and increased financial support for private schools, either of the two advisory committees referred to above could have produced more useful input to the Minister. Issues regarding implementation would have had to be addressed by the committee and a great deal of effort expended by individual school authorities in futile attempts to implement the concept would have been spared.

The group model also focuses on the individual groups who are attempting to influence the policy decision. The data collected indicate that the AISCA and ESCE's leadership demonstrated a high level of expertise in formulating and conducting political strategies. They were also successful in establishing and maintaining group cohesion. As opposition leader Hon. R.C. Clark noted, the ESCE could "bring a block of votes."

INSTITUTIONAL MODEL

Perhaps the actions of the AISCA and ESCE as interest groups could be better understood by examining the institutional structure involved in the formation of the umbrella concept. Basically two routes of access to the policymakers are available to interest groups: through the executive and ultimately to the politicians or directly to the politicians. As indicated in the analysis of Question Four, input made through the Department must be "sold up the hierarchy" or past a number of gatekeeper structures which may facilitate or obstruct such input. Bypassing the bureaucracy, if possible, is a much more attractive alternative. The lobbying of the AISCA and ESCE had two loci. The first was on presenting a rationale for their position. This rationale could be and was used by the politicians to defend the positions they took which reflected the inputs of these interest groups. The second focus was on communicating to MLA's the political implications of their support, namely, a block of votes, and active support on campaign committees and in electioneering activities.

The institutional model also highlighted what might have been gatekeeping activities which existed between the policymaking and policy implementation phases. Four possible gatekeeper structure activities which served to obstruct implementation have been discussed above under the heading "Policymaking and Policy Implementation."

RATIONAL MODEL

As noted in the development of the combined model the satisficing rational model is based on the policymakers' searching for a policy which

is not necessarily the best but rather is good enough. Central to this is the concept of a "goodness standard." How does the policymaker ascertain whether or not the policy is good enough? An examination of the literature revealed that general goodness standards may include past quality, quality of other systems, desired quality, professional standards of quality, survival quality, planned quality, or optimal quality. The general goodness standards used in the development of this policy appeared to include that the policy met a desired quality standard and the survival quality standard. The policy addressed the two concerns which the Minister perceived to exist at the time and hence met the desired quality standard. The policy also assured the survival of a free public education system and a competitive private system. Past quality standards, quality of other systems, professional standards of quality, planned quality and optimal quality standards did not appear to be used to evaluate the policy.

There was not a highly developed search for alternatives, nor was there a high level of explicitness as would be expected in a classical rational approach. The voucher concept had been discussed as an alternative mode of funding in the Legislature and had received some attention from the Minister previous to the formulation of the umbrella concept. Bill 300 was not seriously considered as a viable alternative by the Minister as he referred to it as a "revolutionary approach" noting that as a conservative he was disposed to adopting something which provided for incremental change. No other policy alternatives were considered.

In enunciating and communicating the policy the policymakers were not explicit about the intended consequences of the agreements, the acceptable limits of control to be held by the public and private school

authorities and what benefits might accrue to public school boards who entered into umbrella agreements. Communications were at first by word of mouth and the stated possible options available varied over time. As noted previously, the Minister was the only person involved in the formation of the concept to indicate that one purpose of the concept was to increase diversity within the public system. This alone illustrates a serious lack of explicitness. As noted above, differing interpretations of the parameters within which agreements could be made were given by senior members of the Department of Education.

The policymaking process lacked rationality in that (1) there was not a highly developed search for alternatives, and (2) the policy lacked explicitness. This lack of rationality appeared to contribute to problems in implementing the policy.

THE SYSTEMS MODEL

The inputs from the AISCA and ESCE were originally demands for goods and services (financial support). Later, during the implementation phase, these groups made demands for regulation of behavior (setting out the parameters for acceptable umbrella agreements), demands for participation in the political system (structuring of a five-member committee to examine the implementation of the umbrella concept), and demands for communication and information (regarding the policy and how it could be implemented).

The ATA and ASTA demands were demands for goods and services as they opposed funding of private schools from public revenues.

The process in the systems model involves articulating available

alternatives, formulating rules, applying and enforcing the policy and communicating the policy decision. The negative impact that the absence of these processes had on the policy implementation phase was discussed in relation to the rational model above. The permissive as opposed to mandatory nature of the legislation contributed to the lack of implementation of the policy.

Almond and Powell (1966:26) noted that outputs of the political system take four forms including policies related to extractions, regulations of behavior, allocation or distribution of goods and symbolic outputs. In light of the present study, perhaps a fifth possible form of output could be identified. The outputs listed above appear to relate more closely to mandatory legislation. The permissive legislation which made possible the umbrella agreements, perhaps unintentionally provided for a shift in political pressure away from the policymakers.

When issues are highly political, such legislation could be used to advantage. To construct unambiguous (explicit) mandatory legislation would be expected to alienate at least one major group; however, by passing permissive legislation, only politically feasible arrangements could ever be made to implement the legislation.

As attempts were made to implement the umbrella concept feedback from the participants took the form of new demands. The nature of these new demands was discussed above in relation to inputs.

The final variable from the systems model highlighted in this study was the boundary. Prior to the attempted implementation of the policy, the position of the ASTA was described as ambivalent. The issue of financial support for private schools was not seen to be an overly

important one. With the formation of the umbrella concept came increased political activity by the independent school supporters focused on individual school boards. The ASTA could no longer be ambivalent, hovering just inside the boundary of the political system. New demands were made that funding not be channeled through public boards but that it be allocated directly through the Department if the government wished to increase assistance. A great deal of time and energy was expended by selected local school boards on attempted implementation of the concept. Whereas communications with the Department concerning private schools had previously come from the ASTA executive or ASTA solicitor, following the introduction of the policy local public school authorities were brought into the issue. This fact was apparently not carefully considered during the policy formation phase as no thought appeared to be given to the question of why public school authorities would want to enter into such agreements or how the negotiation process would be carried out.

THE INCREMENTAL MODEL

Incrementalism is summed up in the phrase "political feasibility." The model is based on the assumption that the policymakers do not have the time or resources required to weigh a number of alternatives in order to arrive at a rational policy decision. Instead, incremental policy decisions are made which are safest, politically expedient and take into consideration sunk costs. As noted above, the Minister favored a policy which provided for incremental change as opposed to revolutionary change. The formulation of policy generally might be expected to be made on the basis of rationality and political expediency. When, as was the case in

this study, political pressure is direct and significant, problems arise in attempting to attribute motive to the policymakers actions. Several of the variables highlighted in this model suggest that political considerations were relatively great. The lack of rationality in terms of at least two variables, namely, a highly developed search for alternatives and enunciating and communicating the policy, supports this assertion.

THE OPTIMAL MODEL

The optimal model's major contribution to the combined model was that the policymaking process frequently involves extrarational processes. Dror (1968:179) noted extrarational processes might be expected to be operative in areas of rapid change and development. Perhaps based on the findings of this study, extrarational processes might also be expected in highly politicized areas. In this study, the Minister "created" the umbrella concept at a time when significant yet conflicting demands were being made by various interest groups. Although implementation of the policy was relatively unsuccessful, the policy was politically expedient.

CONCLUSION

An examination of the relationship between the elements which comprise the combined model and the findings of this study was presented in the preceding pages. Several conclusions can be drawn from this examination. Since the study was a case study, these are tentative.

Perhaps the most significant conclusion is that characteristics of the policymaking process appear to impact functionally or dysfunctionally on the policy implementation process. The following conclusions could be listed as corollaries to this statement:

1. If the groups affected by a policy are involved during the policy-making phase, the probability of successful implementation might be expected to increase.
2. Within a structured setting, more meaningful input from competing interest groups might be expected if the policymakers provide general parameters for the policy decision. Bargaining, negotiation and compromise can then be effected within these general parameters. Otherwise, stalemates result and incentive to implement is lost.
3. Interest groups who work more effectively through political channels thereby bypassing gatekeeper structures into the policy-making process run the greater risk of encountering gatekeeping activities during the implementation phase.
4. Lack of rationality in terms of a highly developed search for alternatives and explicitness in the policymaking phase militates against policy implementation.
5. A permissive policy is much more difficult to implement than a mandatory policy unless inducements are relatively high. One by-product of permissive policy is that it shifts the focus of political pressure down in the hierarchy.
6. If groups on whom the policy will have an impact are not considered by the policymakers during the policymaking phase, problems might be anticipated during the implementation phase, particularly if the policy is a permissive one.

In this study a combined model of policymaking was used to structure the policy analysis. As noted in Chapter Two, Harman (1978:22)

advocated such an approach suggesting that existing models might be thought of as tools which can be used in combination with one another. He felt that such an approach would assist the analyst to cope with the complexity and diversity in policy processes and to reduce the possibility of omitting consideration of key factors in the analysis. The foregoing discussion of elements contained in the combined model and the relationship of these elements to the findings of this study suggest that the general approach Harman (1978) advocated has utility for analyzing public policy.

The relationship found between the policymaking and policy implementation processes, however, may suggest that elements of models of policy implementation might be structured into the combined model to facilitate a more complete search for the consequences of the policy. The models included in the combined model deal almost exclusively with the policymaking process.

The elements of one model included in the combined model were not particularly useful in structuring the analysis, hence were not addressed in the preceding discussion. The elite model suggests that policy change will be incremental rather than revolutionary. However, this same concept was drawn from the incremental model. The distinction between the two models is the purpose of such incremental change. The elite model suggests that incremental change is made to preserve stability and maintain the favored position of the elites. The incremental model suggests that incremental change is made because the policymakers do not have the time and resources available to examine and weigh all possible alternatives. An acceptable alternative would be one which is politically feasible and

which takes advantage of sunk costs. This latter purpose of incremental change appeared to be reflected in this study.

The elite model also highlights the power and actions of the elites. In this study such individuals could not be identified. Major input to the policy decision was received from competing groups, not elites. Therefore, since elites could not be identified in this study and since the concept of incrementalism was provided by the incremental model, the elements from the elite model were not a particularly useful addition to the combined model.

Generally, however, using elements from a variety of models of policymaking appears to be a useful approach to conducting analyses of public policy.

CHAPTER 8

CONCLUSION

This chapter is divided into four parts. In the first part a brief review of the study described in the previous pages is given. This is followed by a section in which the conclusions of the study are presented. The third section contains a discussion of the implications of this study for theory and practice while the final section provides some recommendations for future research.

SUMMARY

The stated purpose of this study was to conduct a policy analysis of that portion of Bill 43, a 1975 amendment to Section 160 of The Alberta School Act which provided that:

> 160. A board with the prior approval of the Minister may
> (a) enter into an agreement with . . . the operator of a private school for the provision of educational services.

A combined model of policymaking was constructed from a review of eight existing models to guide the researcher in this analysis. During the analysis five major questions suggested by the combined model were addressed. The five major questions related to input from interest groups, influence, gatekeeper structures, the political process and implementation of the policy.

Data were collected by means of focused interviews, unstructured interviews, and document searches. Focused interviews were conducted with at least one representative from the Alberta School Trustees'

Association (ASTA), the Association of Independent Schools and Colleges of Alberta (AISCA), the Edmonton Society for Christian Education (ESCE), the Alberta Department of Education and with Members of the Alberta Legislature. Unstructured interviews were conducted with at least one representative of the County of Camrose, the Lethbridge Catholic Separate School Board (LCSSB), the County of Lethbridge, the Immanuel Christian School, Camrose Lutheran College, the Edmonton Public School Board (EPSB) and The Alberta Teachers' Association (ATA). Document searches were conducted with the permission and assistance of the AISCA, ESCE, ASTA, ATA, the Department of Education, the EPSB, LCSSB, County of Lethbridge, Immanuel Christian School, County of Camrose, Camrose Lutheran College, and Mr. B.W. Diachuk, Member for Edmonton Beverley.

The data collected revealed that input to the policy decision was received from the ATA, ASTA, AISCA and ESCE. The ATA and ASTA formally opposed the transfer of public monies to independent schools by any means while the AISCA and ESCE lobbied for the position that the per pupil grant paid to private schools should be equal to the grant paid to public schools. Opposition to and support for public monies being expended to support independent schools were philosophically based and rationalized by these four groups.

The official ATA, ASTA and AISCA positions were communicated through membership on the 1971 Ad Hoc Committee to Examine the Status of Private Schools in Alberta and the 1973 Advisory Committee on Private Schools and Colleges and regular meetings with the Minister. The ATA's position and concerns relative to the umbrella concept were also communicated through correspondence with the Department. The ASTA, though less

adamant, reinforced the ATA position. The AISCA also communicated its position directly through audiences with and briefs to the Minister and Members of the Legislative Assembly. Letter writing campaigns organized by the AISCA, and regular correspondence from the president of the AISCA to the Minister further helped to keep the Association's position before the policymakers. Direct attempts were also made by the Association to cultivate a favorable climate toward independent schools among Members of the Legislative Assembly. This was achieved through several means including personal contacts, special meetings and inviting Members of the Legislative Assembly to make presentations to gatherings of the AISCA.

The ESCE's input focused around attempts to implement the umbrella concept. The active lobbying of the group included personal contacts with MLA's, active political support of specific MLA's by ESCE supporters inviting MLA's to address ESCE meetings, direct contacts with Department of Education officials and the preparation of various position papers. They were effective in their lobbying of MLA's and gained the support of all three MLA's in whose constituencies the majority of ESCE supporters reside. The aim of the ESCE's actions was to appeal to the policymakers regarding the justness of their position and the implications of their support.

The ATA and ASTA generally possessed more potential influence than the AISCA and ESCE; however, the independent school supporters appeared to exhibit a greater degree of manifest influence than did the other two groups. The ATA and the ASTA had a relatively high degree of implicit influence. Their concerns and positions were considered in the formulation of the umbrella concept.

The Department officials did not appear to support the AISCA and

ESCE interpretation of the umbrella concept. Evidence exists to suggest that the actions of Department officials were taken because existing legislation was discriminatory against private schools and the role of the Department was viewed as being to administer such legislation. In addition, those in the Department had not worked in a private school setting and therefore were not especially sympathetic to arguments favourable to private schools. As one official stated, he was neutral and preferred to have the politicians make the value decisions.

The obstacles encountered in the Department by the private school supporters and the relative success experienced in contacting the Minister and MLA's directly resulted in an increase in formal contacts with politicians.

The Minister and many MLA's felt, for a variety of reasons, that private schools should continue to exist in the province. At the same time, however, the Minister also recognized that the government had a prior commitment to the maintenance of a universal free public education system in the province in the interest of democracy. One "goodness standard" used, therefore, by the Minister was that any decision must provide the greatest good for the greatest number. He felt, however, that the public system should become more flexible and should include a much higher degree of parental input.

The Minister recognized that the continuation of most private schools in the province was contingent upon increased government financial support and that at the time private school supporters were burdened with double taxation. He was committed to removing this burden.

Independent school supporters had been effective in communicating

their concerns to several Members of the Legislative Assembly including the Minister of Education. These MLA's subsequently communicated their feelings of support in the Legislature or directly to the Minister.

The means by which the Minister chose to address the financial problems faced by the private schools and his perceived need of increased flexibility/choice and parental input in the public system was the umbrella concept. This concept, he felt, provided for increased flexibility while reducing ATA and ASTA opposition. Through this provision, private schools could gain associate membership in a public system thereby acquiring increased financial assistance. In return such schools would have to be open to all students who chose to attend and follow a basic curriculum or work toward the achievement of particular goals. According to Mr. D. King, Member for Edmonton Highlands, the umbrella concept was a compromise between two groups in caucus, one which favored substantial government support for private education and one which opposed such action.

Attempts to implement the umbrella concept ended in one of three ways (1) an agreement was reached and approved by the Minister, (2) discussions took place but no agreement was approved by the Minister, and (3) private schools were absorbed by the public system and became programs offered under the aegis of the public system.

CONCLUSIONS

Based on the data presented and discussed in the preceding chapters, several conclusions can be made in regard to the questions which were posed in the first chapter and which provided the structure for this study.

1. Individuals and groups who sought to influence the policy decision included two categories: one supported while the other opposed public aid of private education. Such input was consistent with the goals of the specific organizations involved. Although both bureaucratic and political channels of communication were used, those who supported public aid to private education used political channels to a much greater extent than did those opposed to such aid.
2. Groups who favored public aid to private education generally possessed less potential influence but manifested what influence they had to a greater extent than did groups who were opposed. Despite this fact, those who were opposed exhibited a significant level of implicit influence despite their lack of manifest influence.
3. Generally, groups who favored public aid to private education bypassed bureaucratic gatekeeper structures during the policymaking phase; however, this may have led, in part, to the apparent gatekeeping activities encountered by them during the policy implementation phase. Political gatekeeper structures appeared to facilitate rather than obstruct the input of these groups.
4. The nature of the policymaking process could be characterized as extrarational and in some respects lacking in rationality. The constraints which were perceived by the policymakers included political feasibility, economic rationality, and the value preferences of the policymakers. Communications were received and solicited through bureaucratic and political channels. Both

politically and rationally based communications influenced the policy decision. Both global goodness standards and goodness standards specific to this policy were employed.

5. Minimal tangible consequences to the policy were found in terms of concluded agreements. Greater symbolic consequences were perceived including increased public school awareness of private schools and an appearance that the adverse financial circumstances of the private schools were being addressed. Discrepancies between the intent and the implementation of the policy arose from the inability of public/private school authorities to resolve issues not addressed during the policymaking phase but which were vital to implementation.
6. An indirect tangible consequence of the policy was the formal provision for increased diversity in the two largest school districts in the province through the adoption of policies and procedures for the acceptance of alternative programs. Through these provisions private schools have been "taken-over" by these two public school authorities.

IMPLICATIONS

One of the reasons given by Dye (1978:7) for conducting policy analyses is to inform political discussion so that more "right" goals will be pursued through the adoption of "right" policies. This study has presented many of the philosophical positions held by various groups in Alberta relative to public funding of private education and the relationship between funding and control of private education. Several

continuing concerns remain for policymakers of the future. These include:

1. to ensure that a system of free public education remains accessible to all children;
2. to ensure that such a system is flexible enough to accommodate the plurality of interests and needs represented in Alberta society;
3. to ensure that some means of comparison is available by which to monitor that system;
4. to ensure that efficient use is made of the money allocated to and by the Department of Education;
5. to ensure that public expenditures for education facilitate a commensurate public good;
6. to determine an appropriate level of support for private education based on the benefits accorded to society as a whole and the saving which accrues to society as a result of the existence of private schools; and
7. to ensure that some meaningful standards of education are maintained in all schools as long as compulsory school attendance is in force.

A place for private schools in Alberta appears to be assured. Funding levels to 80 percent of the per pupil grant paid to public schools appear to be rationally and politically defensible. The above notwithstanding, a dilemma remains for future policymakers in relation to the issue of funding of private schools from public sources and the resultant consequences for control of private education. This dilemma arises as a result of the desirability in a modern democracy for a delicate balance between individual freedom and state control.

Further implications for policymakers include the following. First, if policies are to be effectively implemented they must be clearly understood by those directly involved in their implementation.

Second, if permissive legislation is to be implemented, some potential benefit must be available to all groups associated with the agreements provided for in the legislation. In this study a small financial benefit was available to public school districts; however, these inducements were not large when the time and effort to forge an agreement, the additional paperwork and the added administrative responsibilities of an agreement as originally conceived are considered. The policy might have been expected to fail given the inducements available to the two parties involved.

The study not only has implications for the policymakers but also for interest groups who seek to influence the policymaking and policy implementation processes and for administrators faced with politically volatile issues. In regard to the former, effective pressure groups work through bureaucratic and political channels. Failure in either area could limit or preclude the effectiveness of the group. The findings of this study suggest that dysfunctional outcomes may obtain during the policymaking or policy implementation phase.

Problems might be expected during the implementation phase when: (1) the pressure group has had more success going through political channels than through bureaucratic ones; and (2) the legislation passed is permissive rather than mandatory. Coversely, problems might be expected during the policymaking phase when the pressure group has had significantly less success going through political channels than through bureaucratic ones.

From a Machiavelian point of view, permissive legislation or permissive policies may be a valuable administrative tool in dealing with politically volatile issues. They give an appearance that the concerns are being addressed and may shift the focus of pressure group activities down in the hierarchy. Only agreements which are politically feasible at other levels will be made.

SUGGESTIONS FOR FUTURE RESEARCH

The type of research reported in this document provides several problems for the researcher. First, a dilemma exists in terms of the selection of issues and the related concerns for availability of accurate data. Issues are usually selected for study on the basis of their importance and relevance for today. Since an important portion of the data for such studies resides in the memories of the key actors involved, loss of validity of the results might be expected to be proportional to the lapse in time between the events surrounding the issue and study. Addressing an issue when the circumstances and relationships among groups and individuals have not yet changed, produces another problem for the researcher, namely, gaining access to confidential information, and collecting data about the issue which, if made public, may militate against desired outcomes for one or more key actors. Perhaps the researcher must be careful to ascertain the availability of key information and the openness of the policymakers to cooperate before committing himself to a particular research problem. This is not always possible since new sources of data are frequently discovered during the process of a study. The researcher's familiarity with a policy issue either as

participant observer or a key actor would assist in making important decisions in regard to the accessibility of pertinent information.

Some of the variables addressed in policy studies are more readily amenable to study than are others. As the literature indicates, the concept of influence, though intriguing, is difficult to measure in any objective way. The key to studying this concept appears to be by focusing on the policymakers because their perceptions of influence are extremely important in ascertaining the success or failure of the implicit influence held or the manifest influence exerted by the various interest groups.

Based on the findings of this study, further policy studies might be conducted in an effort to examine the generalizability of the tentative findings to other policy decisions. Such studies could be much narrower in scope dealing with a very limited number of variables (preferably one) but might examine a relatively large number of policy issues. They could address questions such as:

1. What methods do groups concerned with educational issues in Alberta use to communicate their positions to the policymakers?
2. Are those groups who work more closely with the Department of Education than with politicians more successful in the implementation of policies?
3. To what extent are extrarational processes involved in the formulation of educational policies in Alberta?
4. What are the consequences of permissive legislation in terms of the focus of the activities of pressure groups?
5. To what extent is permissive legislation rationalized by policymakers?

In addition to these survey studies, further case studies might be conducted of issues addressed during the early 1970's by the Department of Education and the Minister in order to determine those policymaking and policy implementation variables which appear to warrant further study.

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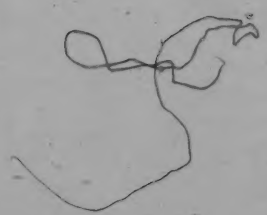

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March 12, 1975	A Discussion Paper Exploring Possible Associate Status of Immanuel Christian School with the Lethbridge Catholic Separate School District No. 9, Lethbridge Immanuel Christian School files.
May, 1975	Diversification in Education: the Edmonton Christian Schools as Associate Schools of the Edmonton Public School Board, Edmonton Society for Christian Education files.
November, 1976	A Brief Regarding the Place of Independent Schools in Alberta's Educational Structure, Association of Independent Schools and Colleges of Alberta files.

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Date	From	To
May 19, 1972	Dr. E.J.M. Church	Hon. L. Hyndman
December 6, 1972	Mr. J. Ludwig	All Members of the Legislative Assembly
June 12, 1973	Dr. E.J.M. Church	Dr. J.S. Hrabi
July 31, 1973	Hon. L. Hyndman	Mr. Kettner
October 11, 1973	Hon. L. Hyndman	Mr. Kettner
January 28, 1974	Hon. L. Hyndman	Mr. W. Vandenborn
February 21, 1974	Hon. L. Hyndman	Mr. J. Ludwig
February 21, 1974	Hon. L. Hyndman	Mr. Wildeboer
April 23, 1974	Hon. L. Hyndman	Miss Lakker
May 7, 1974	Mr. J. Ludwig	Dr. E.J.M. Church
September 30, 1974	Hon. L. Hyndman	Mr. Sahoonderbeck
December 16, 1974	Hon. L. Hyndman	Dr. N. Japolsky
December 20, 1974	ESCE Umbrella Committee	Hon. L. Hyndman
December 20, 1974	ESCE Board	Hon. L. Hyndman
January 27, 1975	Mr. W. Wildeboer	Hon. L. Hyndman
February 1, 1975	Mr. J. Vandenborn	Umbrella Committee
February 5, 1975	Hon. L. Hyndman	ESCE Board
February 20, 1975	Mr. Konnynenbelt	LCSSD Board
March 13, 1975	ESCE Board	Dr. E.K. Hawkesworth
March 26, 1975	Dr. E.J.M. Church	Dr. E.K. Hawkesworth
May 6, 1975	Mr. J. Ludwig	Hon. J. Koziak
May 13, 1975	Mr. J. Vandenborn	EPSB Trustees
May 20, 1975	Dr. E.J.M. Church	Hon. J. Koziak
May 28, 1975	Mr. R. Penrice	Hon. J. Koziak

Date	From	To
June 12, 1975	EPSB	ESCE Board
September 24, 1975	LCSSD Board	Immanuel Christian School Board
October 3, 1975	Mr. R. Smilanich	Mr. M. Strembitsky
November 6, 1975	ESCE Board	Hon. J. Koziak
January 8, 1976	Mr. H. Konnynenbelt	Dr. J.S. Hrabi
February 18, 1976	Dr. J.S. Hrabi	Mr. H. Konnynenbelt
March 31, 1976	Hon. G. Amerongen	Mr. Leffers
October 19, 1976	ESCE Board	Hon. J. Koziak
November 17, 1976	ESCE Board	Hon. J. Koziak
November 19, 1976	ESCE Board	Hon. J. Koziak
May 14, 1977	Government Relations Committee	Strategic Planning Committee
August 15, 1977	Dr. J.S. Hrabi	All private and public school authorities
September 27, 1977	ESCE Board	EPSB
October 14, 1977	Mr. M. Strembitsky	ESCE Board
November 4, 1977	ESCE Board	Hon. J. Koziak
December 1, 1977	ESCE Board	Hon. J. Koziak, Hon. G. Amerongen, Hon. E.A. Hohol, Mr. B.W. Diachuk, Mr. D. King, Mr. L.G. Young
December 19, 1977	Mrs. A. Peddicord	Mr. E. Hohn
December 28, 1977	ESCE Board	Hon. J. Koziak
January 20, 1978	Dr. W. Worbetts	Mr. E. Hohn
February 1, 1978	Hon. J. Koziak	ESCE Board
February 17, 1978	Mr. E. Hohn	Dr. W. Worbetts

Date	From	To
February 24, 1978	Mr. W. Worbetts	Mr. E. Hohn
March 17, 1978	Mrs. J. Anderson	Mr. S. Maertz
March 17, 1978	Mrs. J. Anderson	Mr. Burge
October 30, 1978	Mr. B.W. Diachuk	Hon. J. Koziak

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Date	Meeting
November 6, 1971	Fall Convention of Association of Independent Schools and Colleges of Alberta
April, 1973	Spring Convention of Association of Independent Schools and Colleges of Alberta
May 7, 1973	Executive Meeting, Association of Independent Schools and Colleges of Alberta
October 29, 1974	Board Meeting, Edmonton Society for Christian Education
March 12, 1975	Board Meeting, Lethbridge Catholic Separate School Board
June 17, 1975	Board Meeting, Edmonton Public School Board
September 9, 1975	Board Meeting, Edmonton Public School Board
September 10, 1975	Board Meeting, Lethbridge Catholic Separate School Board
February 17, 1977	Annual Meeting, Association of Independent Schools and Colleges of Alberta
June 20, 1977	Executive Meeting, Association of Independent Schools and Colleges of Alberta
October 12, 1977	Board Meeting, County of Lethbridge
October 20, 1977	General Meeting, Association of Independent Schools and Colleges of Alberta
October 28, 1977	Board Meeting, County of Camrose
November 23, 1977	Board Meeting, County of Lethbridge
March 3, 1978	Board Meeting, County of Lethbridge
April 11, 1978	Board Meeting, County of Lethbridge
May 9, 1978	Board Meeting, County of Lethbridge

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January 31, 1975	ESCE, Talmud Torah, EPSB administration, and Department of Education representatives	Department of Education
April 21, 1975	ICSB and LCSSB representatives	H. Konnynenbelt
May 2, 1975	ICSB and LCSSB administration	LCSSB
June 9, 1975	LCSSB	R. Himsl
June 13, 1975	ICSB and LCSSB administration	LCSSB
July 5, 1975	ICSB and LCSSB administration	LCSSB
November 26, 1975	ICSB, LCSSB and Department of Education officials	LCSSB
March 18, 1976	Dr. Church and AISCA representatives	Dr. Church
May 10, 1976	AISCA	AISCA
August 24, 1976	Regarding Model Agreement	ASTA
January 27, 1977	AISCA and Minister	AISCA

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APPENDIX A

INTERVIEW SCHEDULES

INTERVIEW SCHEDULE

The following questions are designed to gather information relative to the Alberta Independent Schools and Colleges Association's (AISCA) consultation with the Alberta Department of Education and politicians regarding the 1975 Amendment to Section 160 of The Alberta School Act providing for the implementation of what has become known as the "umbrella concept." Please answer only in relation to this one issue.

Part I

1. What problems or issues did the "umbrella concept" attempt to address? _____

_____

_____

_____

2. With whom did the umbrella concept originate?

_____ (a) ATA

_____ (b) ASTA

_____ (c) AISCA

_____ (d) The Department of Education

_____ (e) The Minister

_____ (f) The Cabinet

_____ (g) MLA's

_____ (h) An Independent School Organization

_____ (i) The Media

_____ (j) Other (please specify) _____

3. At what stage in its efforts to reach a decision did the Department consult with AISCA?

_____ (a) At an early stage, before it had reached a tentative decision?

_____ (b) At an advanced stage, after it had reached a tentative decision--to get your reaction?

_____ (c) In drafting legislation?

4. Indicate the vehicles of communication AISCA employed in communicating with the Department by placing an I (ineffective) or an E (effective) in the space provided to the left of the vehicles employed. In the space provided on the right, briefly indicate why you feel each vehicle employed was either ineffective of effective. If a vehicle was not used please put an X in the space provided at the left.

_____ (a) an advisory committee? _____

_____

_____ (b) a meeting with the Minister? _____

_____

_____ (c) a meeting with Department officials? _____

_____

_____ (d) deputations or petitions to the Department? _____

_____

_____ (e) employment of agents in addition to AISCA staff or members? _____

_____ (f) friendly contacts between AISCA members or representatives and Departmental or political officials _____

_____

_____ (g) others (please specify) _____

_____

_____

5. Indicate the nature of AISCA's communications with the Department and/or politicians.

_____ (a) according to accepted practice OR

_____ (b) more on an ad hoc basis

6. Were there any structures inherent in the political system or were there any individuals who obstructed or facilitated AISCA in influencing the policy decision?

_____ (a) yes

_____ (b) no

_____

_____

7. Indicate whether the following statements are true (T) or false (F).

_____ (a) the Department solicited AISCA input

_____ (b) politicians solicited AISCA input

_____ (c) AISCA approached the Department

_____ (d) AISCA approached politicians

_____ (e) the Department negotiated with AISCA

_____ (f) politicians negotiated with AISCA

8. What did politicians seek through consultations with AISCA?

_____ (a) information

_____ (b) to know your desires

_____ (c) advice

_____ (d) developed and detailed proposals

_____ (e) ultimately, your agreement, consent or cooperation

_____ (f) other (please specify) _____

9. What did AISCA hope to accomplish through its consultation with politicians?

_____ (a) to provide information

_____ (b) to express its desires

_____ (c) to give advice

_____ (d) to present a developed or detailed proposal

_____ (e) to make demands

_____ (f) other (please specify) _____

10. What did the Department seek in its consultation with you?

_____ (a) information

_____ (b) to know your desires

_____ (c) advice

_____ (d) developed and detailed proposals

_____ (e) ultimately, your agreement, consent or cooperation

_____ (f) other (please specify) _____

11. What did AISCA hope to accomplish through its consultations with the Department?

_____ (a) to provide information

_____ (b) to express its desires

_____ (c) to give advice

_____ (d) to present a developed or detailed proposal

_____ (e) to make demands

_____ (f) other (please specify) _____

12. A number of groups had communications with Department officials. In the space provided indicate to which group or groups the following statements apply.

_____ (a) mostly tried to persuade the Department by using reasoned arguments

_____ (b) carried persuasion beyond a reasoned argument such that it could be regarded as applying pressure in some way

TYPES OF PRESSURE

_____ (c) threatened to be uncooperative

_____ (d) threatened to oppose the Department

_____ (e) went to MLA's

_____ (f) went to the Minister

_____ (g) went to court

_____ (h) went to the media

_____ (i) pursued a policy of mutual friendliness with the Department

_____ (j) sought the Department's respect as to knowledge and judgment; that is, they tried to influence the Department not so much by arguments as by authority.

_____ (k) asserted some right to influence the Department (e.g., in terms of its representative character)

13. Rank order the groups identified in #12 relative to each of the following political resources. The group listed first should be the strongest in relation to the indicate resource while the last one should be the weakest.

(a) Size of membership _____

_____

(b) Wealth _____

_____

(c) Time _____

_____

(d) Social standing _____

_____

(e) Solidarity or group cohesion _____

_____

(f) Legal authority _____

_____

(g) Means of communication _____

_____

(h) Knowledge _____

_____

(i) Articulateness _____

_____

(j) Dedication or intensity of interest _____

_____

(k) Energy to go with dedication _____

_____

(l) Skill _____

_____

(m) Specialized expertise _____

_____

(n) Electoral potency _____

_____

(o) Effectiveness of the organization _____

_____

14. Were there any structures inherent in the political system or were there any individuals who obstructed or facilitated groups other than AISCA in influencing the policy decision?

_____ (a) yes

_____ (b) no

If yes, please identify the group or groups and the structures or individuals _____

_____

_____

15. List any groups with whom AISCA agreed so that the groups were allied in their efforts _____

_____

16. List any groups with whom AISCA disagreed so that the groups competed with one another _____

_____

17. Select the response which most accurately describes the Department's actions.

_____ (a) The Department acted very much as a mediator who tried to compromise the interests of competing groups yet did not have a view of its own.

_____ (b) The Department played competing groups against one another in order to achieve its own ends.

18. Has AISCA been successful, to date in its efforts relative to the umbrella concept issue?

_____ (a) yes

_____ (b) no

19. Did AISCA's demands on the Department and/or politicians change following the passage of Bill 43?

_____ (a) no

_____ (b) yes--in what way? _____

_____

_____

This interview schedule was used in conducting the following interviews:

1.	Mr. L. Hollaar	AISCA	November 21, 1978
2.	Mr. G. Ebbers	ESCE	December 14, 1978
3.	Mr. G. Cormack	AISCA	December 15, 1978
4.	Mr. J. Ludwig	AISCA	December 21, 1978

QUESTIONNAIRE TO BE USED TO GATHER INFORMATION
FROM ALBERTA DEPARTMENT OF EDUCATION OFFICIALS

The following questions are designed to gather information relative to the formation and attempted implementation of that portion of the 1975 amendment to Section 160 of The Alberta School Act that has become known as the "umbrella concept." Please answer all questions only in relation to this topic. You may be able to refer to particular evidence to support your responses to some questions. For other questions, you may only be able to respond in terms of your perceptions.

My purpose in giving you this questionnaire is to provide you with an idea of the questions I will be asking during our upcoming interview. Although my questions will not be limited to the following, they will provide the framework for our interview. Based on the responses you give to these questions, I may wish to ask other related questions.

Thank you for agreeing to assist me in this manner. It is greatly appreciated.

1. How did the "umbrella concept" come into being? More specifically,

   (a) With whom did it originate? _____

   (b) What issues or problems did it attempt to address? _____

   _____

   _____

   (c) What constraints did the policymakers perceive to exist in addressing these issues? _____

   _____

(d) What part did the personal values and opinions of the policy-makers play in the formation of the umbrella concept? _____

_____

_____

_____

(e) By what standards was the umbrella concept judged to be worthy of inclusion in the amendment to Section 160 of The Alberta School Act? _____

_____

2. What individuals or groups were consulted by members of the Department during the formation, and during the attempted implementation of the umbrella concept? _____

_____

(a) Could you please identify those individuals within the Department who did the consulting? _____

_____

3. Did members of the Department seek consultation with these groups or individuals or did they "come to the Department?" _____

_____

4. With whom (if anyone) were formal means of consultation employed by the Department?

NAME (individual or group)	Formal Means of Consultation
_____	(a) Advisory Committees
_____	(b) inquiries
_____	(c) hearings

_____ (d) conferences

_____ (e) receipt of deputations or petitions

_____ (f) other (please specify)

_____ _____

_____ _____

5. Were established practices followed or were consultations made more on an ad hoc basis? _____

6. What informal means of communication were used in consulting with individuals and/or groups?

_____ (a) friendly contacts

_____ (b) receipt of publications or groups involved

_____ (c) attendance at conferences of groups

_____ (d) Department members also members of the groups so that they would know about the groups through their membership

_____ (e) members of the Department recruited from group(s) involved

_____ (f) other (please specify) _____

7. At what stage in its efforts to reach a decision did the Department consult with various interested individuals or groups?

_____ (a) at an early stage, before you reached a tentative decision

_____ (b) at an advanced stage, after you reached a tentative decision--to get the groups' or individual's reaction

_____ (c) in drafting the legislation

_____ (d) after the legislation was drafted (if so for what purpose?) _____

_____ (e) other (please specify)_____

8. What did the Department seek in its consultations with the various groups and/or individuals?

_____ (a) information

_____ (b) to know group's desires

_____ (c) to get advice

_____ (d) to get developed or detailed proposals

_____ (e) ultimately, to get agreement, consent or cooperation

_____ (f) other (please specify) _____

9. There is a considerable body of opinion that in Britain, departments "negotiate" with groups, in the sense that they regard to groups as parties who are entitled to be satisfied. The department would not make a decision without the groups' agreement. Was this the way in which the Department approached the umbrella issue, that is, did the Department negotiate with groups in that sense? _____

_____

10. What did groups or individuals seek in their consultation with the Department?

_____ (a) to provide information

_____ (b) to express desires

_____ (c) to give advice

_____ (d) to present developed or detailed proposals

_____ (e) to make demands

_____ (f) other (please specify) _____

11. Various groups and individuals had communications with Department officials relative to the umbrella concept. In the space provided indicate to which groups and/or individuals the following statements apply:

_____ (a) mostly tried to persuade the Department by using reasoned arguments

_____ (b) carried persuasion beyond a reasoned argument such that it could be regarded as applying pressure in some way

TYPES OF PRESSURE

_____ (c) threatened to be uncooperative

_____ (d) threatened to oppose the Department

_____ (e) went to MLA's

_____ (f) went to court

_____ (g) went to the Minister

_____ (h) went to the media

_____ (i) pursued a policy of mutual friendliness with the Department

_____ (j) sought the Department's respect as to knowledge and judgment; that is, they tried to influence the Department not so much by argument as by authority.

_____ (k) asserted some right to influence the Department (e.g., in terms of its representative character)

_____ (l) other (please specify) _____

_____

12. In relation to those individuals and groups who had communications with the Department, what political resources did you perceive them to possess? (e.g., size of membership, wealth, time, social standing, solidarity or group cohesion, legal authority, means of communication, knowledge, articulateness, dedication or intensity of interest, energy to go with dedication, skill, specialized expertise, electoral potency, effectiveness of the organization, key politician's support, and information.) _____

_____

_____

_____

_____

_____

13. What political resources were used by these various groups and/or individuals who had communications with the Department? _____

_____

_____

_____

_____

_____

14. Were there any groups who agreed so that they were allied in their efforts? If so, who? _____

_____

_____

15. Were there any groups who disagreed so that they competed with one another. If so, who? _____

_____

16. Select the response which most accurately describes the Department's actions:

_____(a) the Department acted very much as a mediator who tried to compromise the interests of competing groups yet did not have a view of its own.

_____(b) The Department played competing groups against one another in order to achieve its own end.

17. Please list the names of individuals who you feel played a key role in the formation and implementation of the umbrella concept that is, what other individuals should be interviewed? _____

_____

_____

18. What attempts have been made to implement umbrella agreements?

_____

_____

_____

_____

19. In your opinion, has the umbrella concept proved successful? Why?

_____

_____

_____

_____

20. What is your personal view of the umbrella concept? _____

_____

_____

The preceding interview schedule was used to conduct the following interviews:

1.	Mr. R. Penrice	December 18, 1978
2.	Dr. E.J.M. Church	December 20, 1978
3.	Dr. B. Stringham	January 16, 1979
4.	Dr. J.S. Hrabi	January 25, 1979

INTERVIEW SCHEDULE TO BE USED TO GATHER INFORMATION
FROM ALBERTA SCHOOL TRUSTEES' ASSOCIATION MEMBERS

Introduction

The following questions are designed to gather information relative to the formation and attempted implementation of that portion of the 1975 amendment to Section 160 of The Alberta School Act that has become known as the umbrella concept. Please answer all questions only in relation to this topic. You may be able to refer to particular evidence to support your responses to some questions. For other questions, you may only be able to respond in terms of your perceptions.

1. How did the umbrella concept come into being? More specifically:

   (a) With whom did it originate? _____

   (b) What issue(s) or problem(s) did it attempt to address?

   _____

   _____

2. At what stage in the development of the umbrella concept was the ASTA consulted?

   _____(a) at an early stage, before a tentative decision had been reached?

   _____(b) at an advanced stage, after a tentative decision had been reached--to get your reaction?

   _____(c) during the drafting of legislation

   _____(d) other (please specify) _____

3. What vehicles of communication did the ASTA employ in communicating with the Department of Education and/or politicians? _____

   _____

4. What was the impact of these communications? _____

_____

(Note: Advisory Committee on Private Schools, Special Advisory Committee on Private Schools)

5. Indicate the nature of the ASTA's communication with the Department and/or politicians

_____ (a) according to accepted practice or

_____ (b) more on an ad hoc basis

6. Were there any structures inherent in the political system or were there any individuals who obstructed or facilitated the ASTA in communicating with, and hence influencing the policy decision?

_____

(Note: Generally; specifically to the umbrella concept)

7. Which of the following statements apply to the ASTA's actions relative to the umbrella concept?

_____ (a) mostly tried to persuade the Department by using reasoned arguments

_____ (b) carried persuasion beyond a reasoned argument such that it could be regarded as applying pressure in some way

TYPES OF PRESSURE

_____ (c) threatened to be uncooperative

_____ (d) threatened to oppose the Department

_____ (e) went to MLA's

_____ (f) went to the Minister

_____ (g) went to court

_____ (h) went to the media

_____ (i) pursued a policy of mutual friendliness with the Department

_____ (j) sought the Department's respect as to knowledge and judgment; that is, they tried to influence the Department not so much by arguments as by authority

_____ (k) asserted some right to influence the Department (e.g., in terms of its representative character)

8. What attempts have been made to implement the umbrella concept?

_____

9. Have any agreements been signed to date? (Camrose Lutheran School)

_____

10. Why have attempts to implement the umbrella concept failed?

_____

11. Does the ASTA have any policy statements relative to the umbrella concept or funding of private schools? _____

_____

12. What role has the ASTA played in negotiations between local publicly-supported school boards and operators of private schools? _____

_____

13. What individuals have directly participated in formation, implementation and/or attempted implementation of the umbrella concept? In other words, what other individuals should be interviewed? _____

_____

This interview schedule was used to conduct an interview with ASTA Solicitor J. Anderson, December 22, 1978.

Your response to the following questions would be greatly appreciated.

1. How did the indicated amendment come into being?
   More specifically: (a) with whom did it originate?
   (b) what issue(s) or problem(s) did it attempt to address?

2. What constraints did you perceive to be operative relative to the solution of these issues or problems?

3. Why was the amendment made rather than just substantially increasing financial support to private schools?

4. From whom did you seek information and/or advice regarding the indicated portion of the amendment to Section 160 of The Alberta School Act?

5. Who came to you with advice and/or information regarding the indicated portion of the amendment to Section 160 of The Alberta School Act?

6. At the time the amendment was made, what types of agreements did you envision would result?
   (a) what benefits might accrue to an hypothetical public board?
   (b) what benefits might accrue to an hypothetical private school operator?

7. What discrepancies exist between the intent of the amendment and its implementation or attempted implementation? I am interested in any agreements which were forwarded for approval.

8. Can you cite any reasons why only one umbrella agreement had been approved since the amendment was made in 1975?

9. In your opinion was the decision to make this amendment a good one? Why?

10. What is the nature of the feedback you have received since the amendment was made?

This interview schedule was used to conduct the following interviews:

1.	Hon. L. Hyndman	January 15, 1979
2.	Hon. W. Diachuk	January 17, 1979
3.	Hon. L. Young	January 18, 1979
4.	Hon. R. Clark	January 19, 1979
5.	Hon. D. King	January 26, 1979
6.	Hon. G. Amerongen	January 26, 1979

APPENDIX B

ASSOCIATION OF EDMONTON PUBLIC SCHOOL BOARD AND TALMUD TORAH SOCIETY

ASSOCIATION OF EDMONTON PUBLIC SCHOOL BOARD

AND

TALMUD TORAH SOCIETY

MEMORANDUM OF UNDERSTANDING:

1. The association is for a two year period, September, 1975 to August, 1977 and relates to Students in Grades I through VI inclusive.

2. The present Talmud Torah School program will remain in effect for the year 1975-76 and will be funded by the Edmonton Public School Board to the extent of not less than Ninety (90%) percent of the average per pupil Grades I through VI operating cost of the Edmonton Public School Board and the Balance by the Edmonton Talmud Torah Society. That part of the program which is "comparable" (see appendix) to what is taught in the Edmonton Public School system will be a program of the Edmonton Public School Board.

3. Beginning September 1, 1976, the Edmonton Public School Board will provide and fully fund a program in the School which is consistent with all requirements and procedures established by the Edmonton Public School Board and of which approximately thirty (30%) percent will be given in the Hebrew language.

4. The Talmud Torah Society will provide a program of religious instruction beyond the program provided by the Edmonton Public School Board. This program will be entirely within the control and jurisdiction of the Talmud Torah Society and may be fully integrated with the Edmonton Public School Board program by the School Principal who will be employed jointly by the Edmonton Public School Board and the Edmonton Talmud Torah Society.

5. The Edmonton Talmud Torah Society may at its exclusive discretion provide such other educational, religious and extra-curricular activities for the Grades I through VI students as it deems appropriate in the time not used by the Edmonton Public School Board program, and in particular provide a Kosher lunch program.

6. The Edmonton Talmud Torah Board will act as an advisory committee to the Administration of the Edmonton Public School Board with respect to the staffing and operation of

the Edmonton Public School Board program in the school and will have full authority over the staffing and operation of the Edmonton Talmud Torah Society program in the School.

7. The Edmonton Talmud Torah Society will retain full ownership of its building and property.

8. The Edmonton Talmud Torah program will not be open to any student for geographic reasons, but will be open only to those students who are committed to the entire school program including Hebrew language and Jewish religious studies.

9. The Board of the Edmonton Talmud Torah Society retains the right to assess and receive a tuition fee in an amount which it determines; subject to its overriding policy that no child will be turned away because of inability to pay.

10. Since Edmonton Public School Board regulations are flexible with respect to which days a school must be open, the Talmud Torah will continue to be closed on appropriate Jewish holidays.

11. Since the Edmonton Public School Board curriculum allows for instruction in part in the Hebrew language, no major changes to the present Edmonton Talmud Torah Program are necessary to satisfy Edmonton Public School Board curricula requirements.

12. Since the present teaching and administrative staff appear to have professional qualifications acceptable to the Edmonton Public School Board, if those teachers not now certified in this Province obtain such certification, no major staffing changes are envisaged.

Dated at the City of Edmonton, in the Province of Alberta, this 10th day of October, 1975.

"M.A. Strembitsky"
M.A. Strembitsky, Superintendent
and Secretary-Treasurer,
Edmonton Public School Board

"Howard L. Starkman"
Howard L. Starkman, President,
Edmonton Talmud Torah

Source: AISCA files

APPENDIX C

AGREEMENT FOR THE PROVISION OF EDUCATIONAL SERVICES:

LETHBRIDGE CATHOLIC SEPARATE SCHOOL BOARD DISTRICT

NO. 9 AND THE IMMANUEL CHRISTIAN SCHOOL BOARD

September 24, 1975

AGREEMENT

between

Lethbridge Catholic Separate School Board District No. 9

and

The Immanuel Christian School Board

AGREEMENT made in triplicate this .....day of ..... A.D. 1975.

BETWEEN:

Lethbridge Catholic Separate School Board District No. 9

Party of the First Part

and

The Immanuel Christian School Board

Party of the Second Part

Both of the City of Lethbridge, Alberta

1. The purpose of this agreement between the above named Boards is to obtain funds under the "School Foundation Program" and the "School Grants Regulations" as amended from time to time, on behalf of the Party of the Second Part.

2. The Party of the First Part will collect these funds on behalf of the students enrolled in the school(s) of the Party of the Second Part, and turn over these funds to the Board of the Party of the Second Part, no later than seven (7) days after receiving such funds.

3. In consideration of the aforesaid paragraphs, the Party of the Second Part agrees to reimburse the Party of the First Part for any expenses incurred in receiving and distributing such funds on behalf of the Party of the Second Part.

4. It is understood and agreed that this agreement shall take effect on the ..... day of ..... A.D. 1975 and shall continue in effect until terminated by either party, giving notice in writing to the other Party on or before ..... in any given year, and upon such notice being given, this Agreement shall cease and be determined as of the ..... of ..... in any given year, unless the Minister of Education otherwise orders.

5. The Party of the Second Part will furnish a certified list of students, enrolled in its school(s) to the Party of the First Part or whatever documents necessary as prescribed by Alberta Education.

6. The Supervision of the school(s) of the Party of the Second Part shall remain the responsibility of the "Alberta Education" Zone 6 office, located in the City of Lethbridge.

7. The foregoing will be subject to approval of the Minister of Education in the Province of Alberta.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first above written.

Lethbridge Catholic Separate School Board District No. 9

_____

_____

_____

The Immanuel Christian School Board

_____

_____

_____

APPROVED this _____ day of _____
A.D. 1975.

_____
Minister of Education

APPENDIX D

MODEL AGREEMENT FOR THE PROVISION OF EDUCATIONAL SERVICES

AGREEMENT FOR THE PROVISION OF EDUCATIONAL SERVICES

(The School Act, Section 160)

DATED this day of A.D. 19

BETWEEN:

_____

_____

A Private School (hereinafter called "the private school")

-and-

_____

Board of Trustees or County School Committee (hereinafter called "the Board")

WHEREAS Section 160(a) of The School Act permits a school board to enter into an agreement with the operator of a private school for the provision of educational services;

WITNESSETH as follows:

1. In this Agreement

(a) "The School Act" means The School Act being chapter 329 of the Revised Statutes of Alberta, 1970, as amended from time to time.

(b) "Department of Education Act" means The Department of Education Act being chapter 96 of the Revised Statutes of Alberta, 1970, as amended from time to time.

(c) "facilities" shall include grounds and equipment.

(d) "instructional program" means a course of study, pupil programs and instructional materials approved pursuant to section 12 of The School Act.

(e) "pupil" means a pupil as defined in section 133(1) and (2) of The School Act, and also includes those persons 18 years of age and over who attend the school operated by the _____ _____ (Private School or Board).

(f) "school year" means the period of time commencing on July 1 in any year and terminating on June 30th in the following year.

(N.B.: Definition of "employer" in The Alberta Labour Act, 1973 should be noted to determine who is in fact the employer.

2. The _____ (Private School or Board) shall provide coordination, supervision and administration of the instructional program.
3. The _____ (Private School or Board) shall recruit and employ teachers and such other staff as may be required.
4. The _____ (Private School or Board) shall be responsible for all accounting procedures and for the preparation and submission of grant claims, budget report forms, audited annual financial statements and such other information as may from time to time be required by the Minister of Education.
5. The _____ (Private School or Board) shall provide all instructional equipment, materials and supplies, and maintain adequate inventories thereof.
6. Upon request either party shall provide to the other such information, from time to time, as names, ages, location of residence of pupils, assets, or such matters as pertain to the instructional program.
7. The _____ (Private School or Board) shall provide facilities for pupils enrolled in the instructional program.
8. The _____ (Private School or Board) shall maintain the facilities used by pupils in a safe condition having regard to the purpose for which they are to be used.
9. The _____ (Private School or Board) shall provide supervision for all pupils during the period of time such pupils are in attendance at or are participating in activities which are a part of the instructional program.
10. The _____ (Private School or Board) shall provide transportation for such pupils as the parties shall agree to and shall provide supervision for pupils using such transportation facilities.
11. The _____ (Private School or Board) shall at all times well and sufficiently indemnify and keep indemnified the _____

_____ (Private School or Board) from and against all actions, proceedings, claims, costs, expenses and demands of any nature in consequence of:

(a) Bodily injury, sickness, disease or death sustained by a pupil while on facilities provided by the _____ (Private School or Board), and

(b) Damage to, destruction of or loss of property where such property was damaged, destroyed or lost while situate upon facilities provided by the _____ (Private School or Board) after having been brought upon such facilities by a pupil.

12. The _____ (Private School or Board) shall, at all times, well and sufficiently indemnify and keep indemnified the _____ (Private School or Board) from and against all actions, proceedings, claims, costs, expenses and demands of any nature in consequence of,

(a) Bodily injury, sickness, disease or death sustained by a pupil while riding in, boarding or alighting from, any vehicle provided for transportation, and

(b) Damage to, destruction of or loss of property where such property was damaged, destroyed or lost while situate in any vehicle provided as aforesaid after having been brought upon such vehicle by a pupil.

13. The _____ (Private School or Board) shall pay to the _____ (Private School or Board) on account of the costs to be incurred by the _____ (Private School or Board) in providing the instructional program during each school year a fee to be computed and paid in accordance with the provisions of section 14 hereof.

14. (a) The fee shall be calculated and paid as follows:
(insert fee and instalment plan. Subclause stating responsibility for any deficit incurred may also be included).

(b) Provided that if this agreement shall have effect during a portion only of any school year, such fee shall be pro-rated accordingly.

15. This agreement may be amended from time to time by the mutual consent of both parties hereto in writing, subject to the prior approval of the Minister of Education.

16. This agreement shall continue in force from school year to school year unless and until terminated as hereinafter provided.
17. This agreement may be terminated by either party giving notice to the other party in writing at least six (6) months prior to the end of the school year and upon notice being given, the agreement ceases and terminates on the last day of the school year unless the Minister of Education otherwise orders.
18. Upon termination of this agreement the assets will be distributed as follows:

19. This agreement supercedes and replaces all previous agreements between the Board and the Private School relating to the subject matter hereof.
20. This agreement or any part hereof shall not be assigned without the prior written consent of the other party, and the prior approval of the Minister of Education.
21. (a) Notices, reports and other communications required or permitted by this agreement to be given or sent by one party to the other shall be in writing and shall be delivered by hand, or mailed postage paid, or telegraphed to the Addressee as follows:

    THE PRIVATE SCHOOL:

    THE BOARD:

    Either party may by notice to the other party change his address.

    (b) For a notice hereunder to be effective, it shall be received within the period, if any, prescribed for it.

    (c) If a notice is mailed by prepaid registered post in Canada, it shall be conclusively deemed to have been received by the addressee on the second business day following the mailing thereof. In this paragraph "business day" means any day except Saturday, Sunday or Statutory Holiday.

IN WITNESS WHEREOF the parties hereto have executed these presents the day and year first above written.

THE BOARD OF DIRECTORS OF THE

_____

_____

PRIVATE SCHOOL SEAL

(President (or Chairman) of the Private School

_____

Secretary-Treasurer

THE BOARD OF TRUSTEES OF THE

_____

_____

BOARD SEAL

Chairman of the Board

_____

Secretary-Treasurer

THE FOREGOING AGREEMENT IS HEREBY APPROVED.

DATED at the City of Edmonton, in the Province of Alberta, this

day of A.D. 19.

_____

Minister of Education.

APPENDIX E

AGREEMENT FOR THE PROVISION OF EDUCATIONAL SERVICES:

CAMROSE LUTHERAN COLLEGE AND THE

COUNTY OF CAMROSE

April 4, 1978

AGREEMENT FOR THE PROVISION OF EDUCATIONAL SERVICES

(The School Act, Section 160)

DATED this third day of March A.D. 1978.

BETWEEN:

Camrose Lutheran College

A Private School (hereinafter called "the private school")

- and -

County of Camrose No. 22

Board of Trustees or County Committee (hereinafter called "the Board")

WHEREAS Section 160(a) of the School Act permits a school board to enter into an agreement with the operator of a private school for the provision of educational services:

WITNESSETH as follows:

1. In this agreement
   (a) "The School Act" means The School Act being chapter 329 of the Revised Statutes of Alberta, 1970, as amended from time to time.
   (b) "The Department of Education Act" means The Department of Education Act being chapter 96 of the Revised Statutes of Alberta, 1970, as amended from time to time.
   (c) "facilities" shall include grounds and equipment.
   (d) "instructional program" means a course of study, pupil program and instructional materials approved pursuant to section 12 of The School Act.
   (e) "pupil" means a pupil as defined in the School Foundation Program Fund Regulations made pursuant to The School Act.
   (f) "school year" means the period of time commencing on September 2, 1977 and terminating on April 30, 1978.
2. The Private School shall admit to and provide accommodation within its schools for the school year commencing September 2, 1977, and terminating April 30, 1978 for the following "Pupils" of the Board:

Pupil's Name	Location of Residence	Grade	Parents
Matthew Banack	NE 12-48-19	12	William Banack
Dave Bright	RL 41-46-21	12	Ronald Bright
Jim Gotaas	Ohaton	12	Carl Gotaas
Curtis Jans	SW 16-45-21	12	Julius Jans
Margo Marler	NE 2-45-19	12	Ronald Marler
Marilyn Riske	NW 29-46-19	12	Morley Riske
Randy Stollery	NW 7-48-20	12	David Stollery
Barry Swanson	NW 32-47-19	12	Art Swanson
Debra Reich	SE 4-46-17	12	Frank Reich

The educational services provided for these "pupils" shall be equal to those provided for other pupils enrolled in this school.

3. The Private School (Private School or Board) shall provide coordination, supervision, and administration of the instructional program.
4. The Private School (Private School or Board) shall recruit and employ teachers and such other staff as may be required

N.B.: Definition of "employer" in the Alberta Labour Act, 1973 should be noted to determine who is in fact the employer.)

5. The Private School (Private School or Board) shall be responsible in respect of the private school's operations for all accounting procedures and for the preparation and submission of grant claims for pupils who are not the responsibility of the board, budget report forms, audited annual financial statements and such other information as may from time to time be required by the Minister of Education.
6. The Private School (Private School or Board) shall provide all instructional equipment, materials and supplies, and maintain adequate inventories thereof.
7. Upon request either party shall provide to the other such information, from time to time, as names, ages, location of residence of pupils, assets, or such matters as pertain to the instructional program.
8. The Private School agrees to permit access at any reasonable time to the school facilities by employees of the Board to enable such employees to inspect and observe any aspect of the instructional program, provided such employees give twenty-four hours notice prior to their inspection.

9. The Private School (Private School or Board) shall provide facilities for pupils enrolled in the instructional program.
10. The Private School (Private School or Board) shall maintain the facilities used by pupils in a safe condition having regard to the purpose for which they are to be used.
11. The Private School (Private School or Board) shall provide supervision for all pupils during the period of time such pupils are in attendance at or are participating in activities which are a part of the instructional program.
12. The Private School (Private School or Board) shall at all times well and sufficiently indemnify and keep indemnified the Board (Private School or Board) from and against all actions, proceedings, claims, costs, expenses and demands of any nature in consequence of,
    (a) Bodily injury, sickness, disease or death sustained by a pupil while on facilities provided by the Private School (Private School or Board), and
    (b) Damage to, destruction of or loss of property where such property was damaged, destroyed or lost while situate upon facilities provided by the Private School (Private School or Board) after having been brought upon such facilities by a pupil.
13. The Board shall pay to the Private School on account of the costs to be incurred by the Private School in providing the instructional program during the period September 2, 1977 to April 30, 1978, a fee to be computed and paid in accordance with the provisions of Section 14 hereof.
14. (a) Such a fee is to be paid on behalf of each pupil listed in Section 2 of this agreement who is enrolled in the Private School as of September 2, 1977 and on behalf of each pupil listed in Section 2 of this agreement who is enrolled in the Private School as of February 28, 1978.
    (b) Tuition fee--85% of the current per pupil School Foundation Program Fund Grant for a High School Pupil.
15. This agreement may be amended from time to time by the mutual consent of both parties hereto in writing, subject to the prior approval of the Minister of Education.

16. This agreement terminates as of April 30, 1978.

17. This agreement supercedes and replaces all previous agreements between the Board and the Private School relating to the subject matter hereof.

18. This agreement or any part hereof shall not be assigned without the prior written consent of the other party, and the prior approval of the Minister of Education.

19. (a) Notices, reports and other communications required or permitted by this agreement to be given or sent by one party to the other shall be in writing and shall be delivered by hand, or mailed postage paid or telegraphed to the addressee as follows:

THE PRIVATE SCHOOL:	Camrose Lutheran College 4503 - 50 Street Camrose, Alberta T4V 2R3
THE BOARD:	County of Camrose No. 22 5402 - 48A Avenue Camrose, Alberta T4V OL3

Either party may by notice to the other party change his address.

(b) For a notice hereunder to be effective, it shall be received within the period, if any, prescribed for it.

(c) If a notice is mailed by prepaid registered post in Canada, it shall be conclusively deemed to have been received by the addressee on the fourth business day following the mailing thereof. In this paragraph, "business day" means any day except Saturday, Sunday or Statutory Holiday.

IN WITNESS WHEREOF the parties hereto have executed these presents the day and year first above written.

PRIVATE SCHOOL SEAL

THE BOARD OF DIRECTORS OF THE

CAMROSE LUTHERAN COLLEGE

President (or Chairman) of the Private School

Secretary-Treasurer

COUNTY OF CAMROSE NO. 22

BOARD SEAL

Chairman of the Board

Secretary-Treasurer

THE FOREGOING AGREEMENT IS HEREBY APPROVED.
DATED at the City of Edmonton, in the Province of Alberta, this 14th day of April, A.D. 1978.

Minister of Education
Province of Alberta

APPENDIX F

AGREEMENT FOR THE PROVISION OF EDUCATIONAL SERVICES:

CAMROSE LUTHERAN COLLEGE AND THE
COUNTY OF CAMROSE

November 24, 1978

AGREEMENT FOR THE PROVISION OF EDUCATIONAL SERVICES

(The School Act, Section 160)

DATED this 20th day of November A.D. 1978.

BETWEEN:

Camrose Lutheran College

A Private School (hereinafter called "the private school")

-and-

County of Camrose No. 22

Board of Trustees or County Committee (hereinafter called "the board")

WHEREAS Section 160(a) of The School Act permits a school board to enter into an agreement with the operator of a private school for the provision of educational services;

WITNESSETH as follows:

1. In this agreement
   (a) "The School Act" means The School Act being chapter 329 of the Revised Statutes of Alberta, 1970, as amended from time to time.
   (b) "The Department of Education Act" means The Department of Education Act being chapter 96 of the Revised Statutes of Alberta, 1970, as amended from time to time.
   (c) "facilities" shall include grounds and equipment,
   (d) "instructional program" means a course of study, pupil programs and instructional materials approved pursuant to section 12 of The School Act.
   (e) "pupil" means a pupil as defined in the School Foundation Program Fund Regulations made pursuant to The School Act.
   (f) "school year" means the period of time commencing on September 4, 1978 and terminating on April 27, 1979.
2. The Private School shall admit to and provide accommodation within its schools for the school year commencing September 4, 1978 and terminating April 27, 1979 for the following "pupils" of the board:

Pupil's Name	Location of Residence	Grade	Parents
Elizabeth Ingibergsson	Bawlf	12	Asgeir Ingibergsson
Vada Lindstrand	SW 4-48-19	12	Walter Lindstrand
Doug Osness	SW 29-46-20	12	George Osness
Mona Sandbu	NE 30-49-21	12	Ola Sandbu .
Steven Smith	SE 33-42-21	12	Mearl Smith
Twylene Swanson	NW 32-47-19	12	Arthur Swanson
Julie Wilk	SW 8-48-18	12	Albert Wilk

The educational services provided for these "pupils" shall be equal to those provided for other pupils enrolled in this school.

3. The Private School (Private School or Board) shall provide coordination, supervision and administration of the instructional program.
4. The Private School (Private School or Board) shall recruit and employ teachers and such other staff as may be required.

N.B.: Definition of "employer" in the Alberta Labour Act, 1973, should be noted to determine who in fact is the employer.

5. The Private School (Private School or Board) shall be responsible in respect of the private school's operations for all accounting procedures and for the preparation and submission of grant claims for pupils who are not the responsibility of the board, budget report forms, audited annual financial statements and such other information as may from time to time be required by the Minister of Education.
6. The Private School (Private School or Board) shall provide all instructional equipment, materials and supplies, and maintain adequate inventories thereof.
7. Upon request either party shall provide to the other such information, from time to time, as names, ages, location of residence of pupils, assets, or such matters as pertain to the instructional program.
8. The Private School agrees to permit access at any reasonable time to the school facilities by employees of the board to enable such employees to inspect and observe any aspect of the instructional program, provided such employees give twenty-four hours notice prior to their inspection.

9. The Private School (Private School or Board) shall provide facilities for pupils enrolled in the instructional program.
10. The Private School (Private School or Board) shall maintain the facilities used by pupils in a safe condition having regard to the purpose for which they are to be used.
11. The Private School (Private School or Board) shall provide supervision for all pupils during the period of time such pupils are in attendance at or are participating in activities which are a part of the instructional program.
12. The Private School (Private School or Board) shall at all times well and sufficiently indemnify and keep indemnified the Board (Private School or Board) from and against all actions, proceedings, claims, costs, expenses and demands of any nature in consequence of:
    (a) Bodily injury, sickness, disease or death sustained by a pupil while on facilities provided by the Private School (Private School or Board), and
    (b) Damage to, destruction of or loss of property where such property was damaged, destroyed or lost while situate upon facilities provided by the Private School (Private School or Board) after having been brought upon such facilities by a pupil.
13. The Board shall pay to the Private School on account of the costs to be incurred by the Private School in providing the instructional program during the period September 4, 1978 to April 27, 1979, a fee to be computed and paid in accordance with the provisions of Section 14 hereof.
14. (a) Such a fee is to be paid on behalf of each pupil listed in Section 2 of this agreement who is enrolled in the Private School as of September 30, 1978 and on behalf of each pupil listed in Section 2 of this agreement who is enrolled in the Private School as of February 28, 1979.
    (b) Tuition fee--85 percent of the current per pupil School Foundation Program Fund Grant for a High School Pupil.
15. This agreement may be amended from time to time by the mutual consent of both parties hereto in writing, subject to the prior approval of the Minister of Education.

16. This agreement terminates as of April 27, 1979.

17. This agreement supercedes and replaces all previous agreements between the Board and the Private School relating to the subject matter hereof.

18. This agreement or any part hereof shall not be assigned without the prior written consent of the other party, and the prior approval of the Minister of Education.

19. (a) Notices, reports and other communications required or permitted by this agreement to be given or sent by one party to the other shall be in writing and shall be delivered by hand, or mailed postage paid, or telegraphed to the addressee as follows:

THE PRIVATE SCHOOL:

Camrose Lutheran College
4503 - 50 Street
Camrose, Alberta T4V 2R3

THE BOARD:

County of Camrose No. 22
5402 - 48A Avenue
Camrose, Alberta T4V OL3

Either party may by notice to the other party change his address.

(b) For a notice hereunder to be effective, it shall be received within the period, if any, prescribed for it.

(c) If a notice is mailed by prepaid registered post in Canada, it shall be conclusively deemed to have been received by the addressee on the fourth business day following the mailing thereof. In this paragraph "business day" means any day except Saturday, Sunday or Statutory Holiday.

IN WITNESS WHEREOF the parties hereto have executed these presents the day and year first above written.

PRIVATE SCHOOL SEAL

THE BOARD OF DIRECTORS OF THE
CAMROSE LUTHERAN COLLEGE

President (or Chairman) of the
Private School

Secretary-Treasurer

BOARD SEAL

COUNTY OF CAMROSE NO. 22

Chairman of the Board

Secretary-Treasurer

THE FOREGOING AGREEMENT IS HEREBY APPROVED. DATED at the City of Edmonton, in the Province of Alberta, this 21st day of November, A.D., 19 71.

Minister of Education
Province of Alberta

APPENDIX G

CORRESPONDENCE

204 Michener Park
Edmonton, Alberta

August 4th, 1978

Dr. E. K. Hawkesworth
10th Floor, Devonian Building
11160 Jasper Avenue
Edmonton, Alberta
T5K 0L1

Dear Dr. Hawkesworth:

As a provisional doctoral candidate in Educational Administration at the University of Alberta, I am interested in conducting a research study relative to pluralism in Alberta Education. More specifically, my proposed dissertation will focus on the formation of the "umbrella concept" involving public and private schools in Alberta. The provision for the implementation of this concept was provided for in the amendment to Section 160 of the School Act. The purpose of this letter is to request permission to access the following two sources of information:

(1) relevant Department of Education files
(2) relevant Ministerial files

Thank you for your careful consideration of this request.

Sincerely,

Leroy V. Sloan

Leroy V. Sloan

EDUCATION

403/427-2889

Office of
the Deputy Minister

10th Floor, Devonian Building
11160 Jasper Avenue
Edmonton, Alberta, Canada T5K 0L2

1978 08 09

Dear Mr. Sloan:

Re: Request for Access to Relevant Department of Education files and Relevant Ministerial Files Concerning the Formation of the "Umbrella Concept"

This letter will give you permission to examine the relevant files of the Department of Education that refer specifically to the "umbrella concept." This permission is given with the explicit understanding that no copies of the documents are to be made and the files are not to be removed from the Central files of the Department.

In regard to the Ministerial files, I must inform you that we have no jurisdiction over these and that any request to access such files must be directed to the Minister himself.

Yours sincerely,

E. K. Hawkesworth

Mr. Leroy V. Sloan
204 Michener Park
EDMONTON, Alberta

mp

EDUCATION

403/427-2025

224 Legislative Building
Edmonton, Alberta, Canada
T5K 2B8

Office of
the Minister

August 29, 1978

Mr. Leroy V. Sloan
204 Michener Park
EDMONTON, Alberta
T6H 4M5

Dear Mr. Sloan:

On behalf of the Minister, the Honourable Julian Koziak, I wish to acknowledge receipt of your letter dated August 23rd, requesting permission to access ministerial files.

Your letter will be brought to the attention of the Minister at the earliest opportunity, and I have also taken the liberty of forwarding a copy of your letter to Dr. E. K. Hawkesworth, Deputy Minister of Education, for his information as well.

You may expect to hear further in this regard.

Yours sincerely,

Sandy Garrison

Sandy Garrison (Ms.)
Secretary to the
Executive Assistant

CC: Dr. E. K. Hawkesworth

EDUCATION

403/427-2889

Office of
the Deputy Minister

10th Floor, Devonian Building
11160 Jasper Avenue
Edmonton, Alberta, Canada T5K 0L2

1978 09 08

Dear Mr. Sloan:

Subject: Request for Permission to Access Ministerial Files

Your letter of August 29th, to the Honourable Julian Koziak, Minister of Education, has been referred to me for reply.

It is my understanding that the matter of access by members of the public to the files of Ministers of the Government of Alberta is under consideration at present. It is anticipated that a policy directive will be issued soon.

I will communicate with you whenever a definite decision has been reached regarding access to Ministerial files.

May I suggest that you keep in touch with Mr. Jim Jeffrey, my Research Assistant, when you come to examine the relevant records contained in the Central Files of the Department of Education, for which you have already received my permission?

Yours sincerely,

E. K. Hawkesworth

Mr. Leroy V. Sloan
204 Mitchener Park
EDMONTON, Alberta
T6H 4M5

204 Michener Park,
Edmonton, Alberta,
September 11, 1978.

Mr. S. G. Maertz,
Alberta School Trustees' Association,
12310-105 Avenue,
Edmonton, Alberta,
T5N 0Y4

Mr. Maertz:

As a Provisional Doctoral Candidate in Educational Administration at the University of Alberta, I wish to conduct a policy analysis of the 1975 amendment to Section 160 of The School Act. I am particularly interested in that aspect of the amendment which deals with private schools.

> 160. A board with the prior approval of the Minister may (a) enter into an agreement with . . . the operator of a private school for the provision of educational services.

The purpose of this letter is to request permission to access the relevant ASTA files to assist me in my analysis.

Thank you for your careful consideration of this request.

Yours truly,

Leroy V. Sloan

204 Michener Park,
Edmonton, Alberta,
September 11, 1978.

Dr. B. T. Keeler,
Alberta Teachers' Association,
Barnett House,
11010-142 Street,
Edmonton, Alberta,
T5N 2R1

Dr. Keeler:

As a Provisional Doctoral Candidate in Educational Administration at the University of Alberta, I wish to conduct a policy analysis of the 1975 amendment to Section 160 of The School Act. I am particularly interested in that aspect of the amendment which deals with private schools.

> 160. A board with the prior approval of the Minister may (a) enter into an agreement with . . . the operator of a private school for the provision of educational services.

The purpose of this letter is to request permission to access the relevant ATA files to assist me in my analysis.

Thank you for your careful consideration of this request.

Yours truly,

Leroy V. Sloan

The Alberta Teachers' Association
BARNETT HOUSE, EDMONTON

September 18, 1978

Mr Leroy V Sloan
204 Michener Park
Edmonton, T6H 4M5

Dear Mr Sloan,

Dr Keeler has asked that I respond to your request for permission to obtain access to certain ATA files in connection with research you are planning. There are, of course, a number of ATA documents which are public information; these are *The ATA News, The ATA Magazine, Members' Handbook, The Annual Representative Assembly Handbook,* submissions to the government or other public submissions and the press releases related thereto.

Other documents of the Association may be classified as restricted or partially restricted. Access to these can be gained only by motion of Provincial Executive Council or by permission of the Table Officers Committee. If you could develop your proposal a little more carefully, indicating the kinds of documentation that you require and the use to which this will be put, it could then be considered by the Table Officers Committee. Without more exact knowledge of what it is you are seeking I am unable to indicate whether these are likely to be made available or not.

If you would like to talk to me about this please do not hesitate to call. I would be quite prepared to give you some advice on the preparation of your request.

Sincerely,

N P Hrynyk
Associate Executive Secretary

NPH/al

KEEP PART 2 (YELLOW)

MEMO

RESPONDENT: RETURN PART 3 (PINK)

O FITS STANDARD NO. 9 AND NO. 10 WINDOW ENVELOPES

ALBERTA SCHOOL TRUSTEES ASSOCIATION

12310 - 105th AVE.,
EDMONTON,
Alberta T5N 0Y4
Telephone: 482-7311

FROM J. J. Mantz

DATE Sept. 21 1978

TO Leroy V. Sloan

SUBJECT Access for Policy Study

POSTCODE

MESSAGE

You are welcome to come to our office for assistance with your project. Your contact for arrangements will be Judith Anderson, our solicitor, who has custody of whatever background material we may have and who would discuss the file with you.

You can reach Mrs. Anderson by phoning 482-7311.

cc: Mrs. J. C. Anderson, Director, Legal Services

REPLY FROM

DATE 19

MEMO

204 Michener Pk.,
Edmonton, Alberta,
January 16, 1979

Dr. E. K. Hawkesworth,
Deputy Minister of Education,
Devonian Bld., 10th floor West Tower,
11160 Jasper Avenue,
Edmonton, Alberta,
T5K 0L2

Dear Dr. Hawkesworth:

As you know, I am completing my Ph.D. degree in Educational Administration at the University of Alberta. My dissertation consists of a policy analysis of that portion of the 1975 amendment to Section 160 of The Alberta School Act which provided that:

> A board with the prior approval of the Minister may (a) enter into an agreement with . . . the operator of a private school for the provision of educational services.

More specifically, the analysis consists of determining the reasons for the policy decision, the political process which was involved, and the consequences of this decision.

The purpose of this letter is to request an interview with you to discuss the enclosed questions.

Thank you for considering this request. I realize your schedule is a very busy one.

Yours truly,

Leroy V. Sloan

Leroy V. Sloan

EDUCATION

403/427-2025

Office of
the Minister

224 Legislative Building
Edmonton, Alberta, Canada
T5K 2B6

February 15, 1979

Mr. Leroy V. Sloan
204 Michener Park
EDMONTON, Alberta
T6H 4M5

Dear Mr. Sloan:

On behalf of the Minister, the Honourable Julian Koziak, I wish to acknowledge receipt of a copy of your original letter dated January 16th, regarding your studies in Educational Administration at the University of Alberta.

Your letter will be brought to the attention of the Minister at the earliest opportunity, and you may expect to hear further in this regard.

Yours sincerely,

Sandy Garrison

Sandy Garrison (Ms.)
Secretary to the
Executive Assistant

EDUCATION

403/427-2025

224 Legislative Building
Edmonton, Alberta, Canada
T5K 2B8

Office of
the Minister

February 20, 1979

Mr. Leroy V. Sloan
204 Mitchener Park
Edmonton, Alberta
T6H 4M5

Dear Mr. Sloan:

Thank you for your letter of January 16th requesting an interview with me in regard to your doctoral study.

I sincerely regret that my heavy schedule of activities precludes my meeting with you within the foreseeable future.

It is my understanding that you have been able to interview several Members of the Legislative Assembly and a number of senior officials of the Department of Education in connection with your doctoral dissertation. It may very well be that any information which I could give you has already been passed on to you during the interviews which have taken place.

I trust that you will be successful in completing your doctoral dissertation.

Yours sincerely,

Julian Koziak
Minister of Education